

# **Electronic payment order in civil procedure**

## **Abstract**

Electronic payment order is introduced into the Czech legal system by the amendment of the Civil Judicial Procedure Rules no. 123/2008 Sb. implementing a new institution within the payment order procedure. Electronic payment order is presented as an institution able to help the Czech judiciary system within the shortened civil procedure by the application of the computerization of civil procedure.

I decided to begin my thesis with a chapter trying to clarify the role of electronic payment order within the frame of the computerization of justice. I provided a brief account of the development and contemporary trends related to the computerization of justice and I approached the individual institutions which I regarded as appropriate to mention in order to understand the given institution within the whole context.

The third chapter deals with reasons for which the institution was implemented into the Czech legal system. I carried out a detail analysis of the explanatory report to the Act introducing the institution of electronic payment order and I made an effort to outline the main reasons for the amendment and to arrange the objectives intended to be achieved by the implementation of the new institution.

The third chapter focuses on the institution of the electronic payment order itself and it describes its particular aspects. Electronic payment order belongs to the shortened civil procedure and it was therefore necessary to examine the conditions and the course of the shortened civil procedure in detail and to define electronic payment order in comparison with traditional payment order as well as to detect their shared attributes and to reveal their differences.

The explanatory report to the Act introducing the institution of electronic payment order refers to foreign legal regulation and it searches for the inspiration in it. The fifth chapter thus includes the comparison of electronic payment order with foreign legal regulation whereas special focus is paid to German legal regulation.

The last chapter deals with electronic payment order in practice. Three years passed from the time when the legal regulation came into existence, the electronic payment order and the related legal rules were amended, which provides space for possible comparison and application of electronic payment order in practice. My aim was to reveal whether the

objectives defined in the explanatory report to the Act were met and I subsequently focused on the development of electronic payment order and its future.