

ABSTRACT

Divorce is a legal act of marriage termination. It is a moral and legal problem effecting all the spheres of social and family lives of the parties, intervening mainly the property sphere of social lives of a couple, concretely the common property of a married couple, living of a married couple and upbringing and maintenance of their under age children.

Within my thesis named „Property impact related to divorce“ I will pursue these three property spheres affected by divorce.

The aim of my thesis is to find the best way how to proceed in cases the marriage is deeply and constantly ruptured and the only solution to discontinue the mutual disputes is to divorce. In such cases the married couple appears in a new and for them unknown situation in which they will have to solve the issue of future upbringing, maintenance of their children, division of the common property and the question of living. If the partners are not able to communicate with each other and try to solve the whole situation, then the divorce can set off lengthy, financially demanding and mutually devastating conflicts, which can influence their further life and primarily lives of their children who suffer from divorce the most since they lose their life certainty which are both parents and common family environment and appear, not at their fault, in a new life stage. Divorce can negatively influence further life of children and parents should never forget about this reality when they solve their problems related to the marriage termination.

The main source I have used has been the publication: Dvořák, J. Spáčil, J. Společné jmění manželů v teorii a v judikatuře. 2., rozšířené vydání, Praha: ASPI, a. s., 2007, a Holub, M. Nová, H. Sladká Hyklová, J., Zákon o rodině, komentář a předpisy související, Linde Praha, a. s., 2007, 8. vydání and many more publications stated in the list of literature at the end of this thesis.