

This Master's degree thesis deals with the issue of the court decisions concerning custody of minor child considering the current legislation in force. The thesis is divided into four chapters. The first chapter is introductory and emphasizes the protection of underage child, especially judicial protection. The second chapter defines basic concepts and theoretical bases, on which the court based the decision making process. The third and the main chapter of this thesis at first characterizes judicial proceedings in matters of judicial care of minors in general, and then focuses on the particular cases, in which it is necessary to decide on the custody of the child. A special emphasis is placed on the established practice of courts. The court decides on the custody of the child in parental care, if his parents are getting divorced or do not live together. The court may award the sole physical custody of one of the parents, joint physical custody of both parents or shared physical custody of both parents. If, however, the natural family does not fulfil its function, and the care from the side of the child's parents is not secured, it is necessary to decide on substitute care. The court has the option to place the child in the care of another individual person, in foster care, in care of his tutor, or award the institutional care. The end of this chapter addresses the issue of the enforcement of decisions concerning custody of the minor child. The fourth chapter then summarizes the key issues.