

Types of civil procedure

This thesis deals with various kinds of civil procedure. It defines its character, the purpose of its legislation, its principles, parties and their position, rights and responsibilities, and the course of the five kinds of civil proceedings in the Czech republic.

In the first chapter there is described the procedure, in which disputes are solved. Courts binding decide concrete disputes and declare, what is right and what is not right. Parties have to declare their rights and proof it. Otherwise they fail the process. In the second part of the first chapter there are defined kinds of civil procedure in which there is no dispute but it is required to regulate this legal relations, for example when somebody dies or lose some legal document.

The second chapter deals with proceeding which leads to enforcement, when somebody doesn't voluntarily perform what he have to perform according to the final legal decision. The court or the executor can force this person to perform his obligation.

In the third chapter there is described the bankruptcy proceeding and its institutes. The bankruptcy proceeding is regulated in the quite new Bankruptcy act. This chapter deals also with the ways of solution when somebody declare a bankruptcy.

The fourth chapter deals with arbitration, in that parties are solving their property dispute not before a judge, but before the arbitrator to which they agreed. That implies, that this proceeding is some alternative to the proceeding which is described in the first chapter.

The fifth chapter describes institutes through which can be provisionally regulated behavior of some person in relationship to other or ensure some proof.