

Abstract

Mutual comparison of the appointment of judges in Czech Republic and on the basis of the merit system

The diploma thesis deals with a comparison of the appointment of judges in the Czech Republic and an appointment of judges based on merit system. The aim is to describe in detail both systems and determine whether the application of the principles of a model example of the appointment of judges based on merit system is possible to apply in the Czech Republic.

In the first chapter I set the basic assumptions of a judge that any judge should meet. Using these assumptions I also compare both systems the appointment of judges. The ideal system for appointing judges, in my opinion, should be set so that on its basis were appointed judges who are independent and impartial, accountable, trustworthy, intelligent and have the necessary experience and moral assumptions.

The second chapter is devoted to the current system of appointment of judges in the Czech Republic, where I describe the current legislation and appointment of judges that deal with the process that precedes the appointment of judges by the President. At the end of the second chapter I summarize how the current system for selecting judges take into account the criteria mentioned in the first chapter.

In the third chapter I present system of appointing judges based on merit system. The system selection process is currently being promoted especially in the United States, so I chose as a model system that is in the State of Colorado, where I completed an internship at the Supreme Court and I met in the establishment of judges by the selection procedure in practice. Due to the reason that I want to enforce a similar system in the Czech Republic I describe the individual elements in detail.

The final fourth chapter is a crucial part of the diploma thesis. I compare whether individual elements of the system for the appointment of judges based on merit system can be applied in the Czech Republic. Thesis is also at this point trying to present a possible solution of ideal system for the appointment of judges for the Czech Republic.