

## Summary

This master's thesis deals with the civil action. A civil action denotes a pleading of the plaintiff to initiate a civil procedure. It represents a fundamental act based on the disposition principle of the party seeking protection of their private rights that they claim to be endangered or violated before a court of law. Thus, a civil action is a manifestation of the right to legal protection and in connection to that right, the obligation of the state is to ensure that all parties can enforce their rights in a stipulated way of actions before an independent and unbiased court of law. This master's thesis is divided in the following seven chapters: historical development, civil procedure, rules of civil procedures, actions, types of actions, disposition principles with complaints and the types of demanded outcomes of the plaintiffs.

The contents of the first chapter are the historical development of civil actions. The chapter is divided into two parts. The first part is devoted to the Roman action, where the character and form of the action in Roman law are described and further the single types of actions that the Roman law had are outlined. The second part deals with the historical development of actions in the Czech lands, i.e. from the ancient times, through the period of absolutism until today. The second chapter concerns the civil action itself for it is applied just in this legal realm. The character of the civil action and its procedures and the single types of civil procedures are addressed here.

The third chapter refers to the base of the action, i.e. the rules of civil actions. The chapter covers especially the development of the rules of civil actions from the 19<sup>th</sup> century until today and various theories that seeked to find out the question who and under what conditions one is allowed to file the action with a court of law. The institute of the action itself is deeply outlined in the fourth chapter. First, the action and its legislation in the Czech civil procedural law are described. In the following five sub-chapters these issues are given a detailed description: the obligatory legal contents and form of actions, ways how to file an action with a court of law and the effect of the filing of an action. Moreover, the procedure of the court when delivering an action to the defendant is mentioned. The matters of action that do not comply with legislation and the procedures of courts of law when dealing with those had not been forgotten either.

The fifth chapter looks into the taxonomy of actions and their classification into single categories according to various distinguishing criteria. In the four sub-chapters, the types

of actions are mentioned, which are dealt with, with Czech courts of law most often. The subject of the sixth chapter is action and the disposition principle, which is one of the major principles of a dispute. This principle enables the parties to handle the civil action and its subject. In three sub-chapters general features of the disposition principle are outlined, i.e. how to amend, take it partially or completely back. The final seventh chapter covers the claims of an action, i.e. the part of the action where the plaintiff formulates their claims and expresses in this way their demands towards a defendant with a court of law. The contents of the chapter encompasses also the division of the claims according to the number of them. This division is described in detail in the single sub-chapters.