

SUMMARY

Subject of this thesis is “Preparation of a hearing in the civil procedure”. The term preparation of a hearing describes a set of procedures, which the presiding judge makes for better clarification of the judicial file and easier orientation in the specific case. Proper use of these proceedings should help to resolve the case during just a single hearing or in a short term. It leads to reducing the unnecessary costs and keeping the economical principle. The aim of this thesis is to evaluate if the proceedings really help to quicker resolution of the case.

Systematically this thesis is divided into a theoretical and practical part. The thesis contains six chapters in overall, four of them belong to the theoretical part and two of them are focused practically. All of the chapters include subchapters, which are divided in sections. Theoretical part of the thesis focuses on valid Czech legislation relating to preparation of a hearing. In the practical part there is a comparison of Czech and foreign legislation and application of these legislations into practice.

The aim of the first chapter is to outline the principle of the preparation of a hearing and its importance in civil procedure. The second chapter focuses on the principles of civil procedure which are related to the preparation of a hearing and pervade legislation. Chapter no. 3 pursues the actions made by a court during the preparation of a hearing. Through these actions the presiding judge examines procedural requirements and communicates with the participants. The last chapter of the theoretical part completes the text of the thesis with selected actions of participants, which are undertaken before or during the procedure.

Practical part includes two chapters, to separate the two comparisons which aim at other issues. In chapter no. 5 I focus on outlining the Slovak legislation relating to the preparation of a hearing and I compare it with valid Czech legislation. The last chapter

is dedicated to evaluation of questionnaires given to judges concerning application of legislation in practice.

The aim of this thesis is to evaluate the most interesting and most important aspects of legislation relating to the preparation of a hearing, in order to eliminate any delays in the proceeding.