ABSTRACT

The issue of the enforcement of judgments in family cases is a topical issue in our society, since the various changes this legal area has recently experienced. The main change in the procedural field was the separation of so-called undisputed proceedings into a new Act on Special court proceedings, while the Civil Procedure Code remained a subsidiary act. This new Act also contains the sole regulation of the enforcement proceeding in cases relating to domestic violence and in cases of child custody, since these two areas are the most distinct from the enforcement of other pecuniary and non-pecuniary performance.

In the first two chapters, the thesis focuses on the background of the enforcement proceedings as well as on its development, principles and functions. The second chapter ends with the outline of the enforcement in the Act on Special court proceedings.

The third chapter deals with the enforcement of judgements in domestic violence cases, focusing particularly on the Police Eviction Instrument and the Special Preliminary ruling on the Protection against Domestic Violence. Their subsequent enforcement is then evaluated and analyzed.

The fourth chapter focuses on the legal regulation of the child custody, with an emphasis on the comparison of the different modes of enforcing the decisions, as well as other instruments that are provided to the court for better enforcement of unfulfilled obligations. Primarily, the emphasis is on the enforcement of the judgements on child custody, as well as on the Special Preliminary ruling on the Child Custody.

The aim of this thesis is to provide insight into the legal regulation of enforcement proceeding in cases relating to domestic violence and in cases of child custody, to compare them and critically evaluate them, and all that in the light of new legal regulations.