

Abstract

The topic of this dissertation focuses on the arrangement of the court system in the Czech Republic. The aim of the thesis is to present a basic, comprehensive view of the organisation of the system of courts, elaborated with a closer analysis relating to the personnel composition and overall functioning of the individual courts.

The introductory section of the thesis deals with the historical development of the judicial system within the territory of today's Czech Republic, in particular the organisation of the court system during the period of the First Czechoslovak Republic (1918-1938). The court system of the First Republic followed on to a large extent from the legal arrangement of the Austro-Hungarian judicial system, on the basis of the adoption of the Reception Act no. 11/1918 Coll. A gradual unification took place regarding the different arrangement of the court organisations in the Czech lands and in Slovakia. The court system of the First Republic was distinguished by a high degree of specialisation, the courts were divided into regular, specialised and arbitration courts.

The system of general courts is formed by district, regional and high courts, the Supreme Court and the Supreme Administrative Court. The thesis also includes a description of the functioning of judicial councils, the establishment, duration and expiry of the functions of judges and associate judges.

In addition to the system of general courts, special attention is devoted to the Constitutional Court as a separate court body for protecting constitutionality, based on the concentrated model of constitutional law, and the development of the Constitutional Court itself since its establishment in 1920. The Constitutional Court should function in particular as an effective component of the system of checks and balances within the framework of the division of state power, thus exercising a controlling function over legislative, executive and court power.

The thesis analyses the currently valid and effective legal arrangement of the Czech Republic, in particular the Constitution of the Czech Republic, Constitutional Act no. 1/1993 Coll., the Constitutional Court Act no. 182/1993 Coll. and the Courts and Judges Act no. 6/2002 Coll. At the same time the thesis presents a number of significant findings of the Constitutional Court of the Czech Republic relating to the given topic, as well as the legal arrangement from the period of the First Republic and the following years.

The main contribution of the work is therefore a comparison of the current arrangement of the court system with the arrangement of the First Republic, in particular in the area of general courts, where today there is no application of a greater degree of specialisation which could contribute to improving the effectiveness and quality of court decision making, as well as a higher professional level of the individual courts.