

# **Representation of parties to civil proceedings**

## **Summary / Résumé**

My thesis deals with the legal issue of representation of parties to civil proceedings (“**Representation**”). The aim of my thesis is to summarize the basic conditions of Representation and entitlement to this representation.

The thesis is divided into three extensive chapters. Each chapter is concerned with different issues of Representation. The thesis opens with an explanation of general principles of Representation with reference to the constitutional order. There is also an enumeration of the fundamental principles of the civil proceedings.

In the second chapter I continue with an enactment of Representation in Rules of Civil Procedure. Positive law distinguishes between three types of Representation, namely Representation arising from applicable laws, Representation by order of court and Representation stemming from power of attorney. Representation by order of court is conformable to the other types of Representation. On this account I differentiated Representation into Representation arising from applicable laws and Representation with the nature of Representation stemming from power of attorney.

I paid attention to authorized representatives in the last chapter. Primarily the personal entities are authorized to provide Representation, namely attorneys, public notaries, patent agents and unqualified representatives. Legal entities are also authorized to Representation, particularly trade unions and the Representation of the Government in Affairs of Property Office. In my opinion, the attorneys are the most important group among the other authorized representatives. They are authorized to provide Representation at any stage of civil proceedings in contrast to the other authorized representatives. In some cases, there is an obligation to be represented by an attorney in court.

In conclusion of my thesis, I tried to compare Representation under the Czech law with the law of the European Community. The obligation to be represented by an attorney in court relates to all proceedings before the European Court of Justice and the Court of First Instance.