

11. SUMMARY

This thesis is dedicated to the Czech civil procedure, namely to the very important part of this procedure, the evidence proceeding and its individual means of proof. The subject matter of evidence proceeding are the contentious facts, which cognition by the court is very important for the equitable decision. The subject matter of evidence is different in two main types of the civil proceedings, contentious and non-contentious proceedings. In the contentious proceeding, participants in proceedings claim different things, and the court has to consider the facts of the case. The role of the court in the non-contentious proceeding is to issue a decision to regulate legal position (their rights and duties) of the participants in proceedings. Responsible for collecting of evidence are in the contentious proceeding mainly the participants in proceeding, otherwise in non-contentious proceeding failure to bear the burden of proving by the participant in proceeding doesn't lead to his unsatisfactory result of the procedure.

Chapter 1 is a general introduction to the Czech civil procedure and the evidence proceeding. This chapter explains what topics this thesis will deal with.

Chapter 2 concentrates on the concept of the evidence proceeding and the subject matter of the evidence proceeding.

Chapter 3 covers the means for facilitation of evidence proceeding (i.e. legal rebuttable and irrebuttable presumption).

Chapter 4 deals with the position of the participants and the court in proceeding.

Chapter 5 tries to briefly show the course of evidence.

Chapter 6 concentrates on the concept of the means of evidence generally.

Chapter 7 describes the individual means of evidence (i.e. examination of witness, expert's report, documentary evidence).

Chapter 8 looks on the special means of evidence, which are not included in the Czech civil procedure code.

Chapter 9 is a final word of the author.