

ABSTRACT

REŠOVSKÁ Radka: *Participants of the civil proceedings*. [Graduation theses] / Radka Rešovská – Charles University in Prague. Faculty of Law, Department of Civil Law. – Head of the Graduation theses: doc. JUDr. Alena Macková, Ph.D, Prague: PrF UK, 2011.

The graduation theses deal with contemporary legal regulations of the civil proceeding participants. A big attention was dedicated to particular definitions of the participants within contentious and non-contentious proceedings. The presumptions are being analysed of which a certain person can become the participant in proceedings and the presumptions of which the participant in proceedings is legitimated to act on his/her own behalf in the trial. Object of theses are also different kinds of representation of the participants, i.e. representation at law, representation at judicial decision or representation under the power of attorney. A relevant part of theses is characteristics of the principle of equality which is reflected in status of participants of the civil proceedings and is a part of the right of due process. A body of the fundamental procedural rights and duties of participants is being presented which constitute the content of procedural relations realized by this way. Attention is concentrated on joinder of participants which are being created among the participants on the same side of participation and comparison with aspects of active and passive joinders, separate and dispensable joinders and voluntary and compulsory joinders. There are analysed possibilities of interchange, intervening in proceedings and alteration of participants as central procedural institutes having impact of their status. Separately are being solved the problems of collateral intervention which enables a third person who has a legal interest in winning the case by one of participants to join the proceeding on one side and the principal intervention which allows to bring an action by person who makes a claim on some thing or adjudication of law which is matter of proceeding between other persons on another side. At the conclusion I have summarized certain questionable issues of the legal regulation in force and also I have tried to suggest possibilities of their solution.

Key words: participant, representation, principle of equality, right of due process, procedural rights and duties, joinder of participants, interchange, intervening, alteration, collateral intervention, principal intervention.