

Resumé

Succession proceedings

As a theme of my thesis, I chose “The probate process”. The reason for this emerged from my practice in a notary’s office during my studies. After graduation, I plan on working further as a notary clerk.

The paper is divided into five primary chapters. The first chapter is introductory, describing why I decided to work on this topic, how the dissertation is divided and what is according to my opinion its main asset.

The second chapter, called “the historical evolution”, deals with the development of notary and its authorities over Czech lands from the 12th century until present days. This chapter consists of four parts. The first one focuses on the development from the 12th century until the foundation the First Republic. The chapter continues with part number two, which explores the era from 1918 to 1948. The third part then explains changes in legislative, as after 1948 many acts were adopted, which had changed the whole notary organization and notary had been step-by-step nationalized. The last section of this chapter, the era after 1993, is focused on changes due to notary privatization.

The third chapter characterizes the inheritance procedure, which is regulated by certain principles, divided into two groups in this paper. The first group represents the principles, which refer to the right for a just process and the second is concerned with the civil proceedings principles. This chapter also highlights the property and identity functions of the inheritance procedure, as it is its goal to state the possessions or possible debts of the testator and his or her heir.

The most extensive fourth chapter describes the valid legal regulations of the inheritance procedure. The chapter is divided into eleven sub-chapters, for example the proceedings initiation, participants and inheritance discussion, which illustrate the notary activities from the proceedings initiation, through the preliminary enquiry, resolve release, to the eventual additional hearing.

The fifth chapter represents the summary of my dissertation. The main objective was to take a closer look at the valid legal regulations, focused mainly on the last novel of the Civil Procedure Act and on obtaining deeper knowledge in the field of the inheritance agenda.