

Summary

Goal of this work is introducing to readers into the participation in civil proceeding problems. Knowledge of the civil procedural law is necessary not only for lawyers but also for the common man, who at any time may become participant of civil proceeding.

In my thesis, I chose the method of description, where I want to explain in the range of five chapters the various institutes associated with participation.

The first chapter describes the civil process itself, that is what you can imagine it, what law prescriptions to it and what are its types. Then I focus on the discovery procedure as one of the types of civil process. It then divides the disputed and undisputed procedure and compares the differences between them. At the end of the first chapter I describe briefly the subjects of civil proceedings, which are also being participants in civil proceeding.

The second chapter is fully dedicated to the participants of civil proceeding. There could be no proceeding without them. First I try to explain their position in the proceeding. Then I deal with the conditions of participation, thus who is eligible to be a participant who can act autonomously in the courts, respectively if this alone before the court can't, who can represent him. There is necessary subject legitimation, respectively legal interest of the participant. The subject legitimation can be substituted for the procedural legitimation in cases specified by the law.

The third chapter of my work deals with the procedural rights and obligations of the participants. These are the contents of a law procedural relationship, thus a procedure based relationship. They are the same, whether the parties are participants in the alleged substantive legal relationship or not.

The fourth chapter focuses only on the dispute procedure. I mention how to determine the participants in this type of procedure, by the so called first definition of the participants. There may be changes of personnel in a controversial procedure in the process, but only if provided for by law. Such changes are, first accession and substitution of the participant, both the succession process under § 107 or § 107a of Civil Procedure. Furthermore, I note that among the participants on the same side of the dispute arises procedural partnership, which varies depending on whether the partnership is individual or inseparable. Because of the law interest may enter into an dispute procedure as a third party participant. In a dispute procedure we can also meet with major intervention, which allows a third party the application, which

can challenge all parties to the proceedings already in progress if it wants to apply its own law on the subject of proceeding.

I dedicate the fifth and final chapter to participants of uncontested procedure that is very diverse in nature. And for that reason, the parties are determined in accordance with two different definitions that I try to illuminate and explain their use cases.

The goal of this work was to explain to a reader who and under what circumstances may become a party and which institutes and in which cases are causing changes in these individuals. I believe that this goal has been achieved and that after a careful reading of the text, the reader will be versed in the issue.