

The thesis examines the topic of debtor-in-possession financing, also called post-petition financing, in insolvency law. After a brief characteristic of law and economics methodology, ground theoretical requirements for legal rules of debtor-in-possession financing, as a mean of loan financing of businesses of a debtor in bankruptcy, are formulated in the first place. Next, the Czech Law of post-petition financing, above all regulated under the no. 182/2006 Coll., Insolvency Act, as amended, is analysed, considering its economic effectiveness in respect to transaction costs from the point of view of the subjects. Next part of the thesis focuses on comparison between the Czech Law of debtor-in-possession financing and the same law in the United States of America, where the post-petition financing is regulated under the Title 11 of the Code of Laws of the United States of America. Implications are made from the American Law for the possible future progress of the Law in the Czech Republic. In the end, a possible linear model for testing of expediency of accepting debtor-in-possession financing for the pre-petition creditors of the bankrupt debtor is designed.