

## **ABSTRACT**

Title: Cost of civil judicial proceedings with particular focus on attorneys' fees

Author: Mgr. Eva Alexander

Chair: Civil Law

Date (final draft): 30 June 2014

Key words: costs of legal proceedings, reimbursement of legal fees, small claims

The thesis analyzes the Czech legal rules relating to the costs of civil judicial proceedings, in particular the attorneys' fees. In the first part, the costs of civil judicial proceedings are described in general, including out-of-pocket expenses of parties and their representatives and counsel, court fees, lost wages, evidence and interpreting costs and notarial fees. The first part further focuses on payment and reimbursement of costs. Under Czech law, the losing party must reimburse the successful party at the rate determined by the statutory rules.

The second part deals with the reimbursement attorney's fees, which, until April 2013, took place according to flat rates set forth in a decree. However, the Constitutional Court cancelled that decree due to its effects in small claims cases. As a result, the general statutory schedule for attorney's fees is currently used also for determination of reimbursement of counterparty's fees in civil disputes. The thesis describes both the case law relevant before the decision of the Constitutional Court, which may be relevant in respect of any new regulation, and the case law relevant to the current legal status, which is much more limited.