

Abstract

Mediation as an alternative manner of dispute resolution

The topic of this thesis is mediation, as a form of settlement solution carried out of court. Mediation is in the Czech Republic still very topical. Its growing use can help to reduce the workload of courts. The aim of this thesis was to introduce mediation in general, to discuss the legal regulation of mediation in civil cases in the Czech Republic and critically analyse it. Apart the introduction and conclusion the thesis contains seven chapters in total.

The first chapter defines mediation as one of the alternative methods of dispute resolution. Subsections provide a definition of mediation, comparison between mediation and court and arbitration proceedings, and discuss the benefits of resolving the dispute through mediation. The second chapter is focused on the development of mediation. After a brief introduction, it deals with the development of mediation in the United States, Europe and finally in the Czech Republic.

Subsequent chapters describe mediation method itself and its theoretical bases. The third chapter discusses the fundamental principles that are applied in the mediation. The fourth chapter provides the basic definition of mediation styles. The following chapter discusses a mediator, his qualification, role, responsibilities and remuneration for mediation. Chapter six focuses on the process and the mediation organization, the individual subsections further specify the initiation and the end of mediation. Finally, the seventh chapter deals with the mediation initiated by the court.