

# **Obligations of an attorney in his professional practice**

## **Abstract**

This thesis deals with the obligations of an attorney in his professional practice, which derive from legal and professional regulations. The goal is to comprehensively describe and interpret the individual obligations and thus create a comprehensive overview of them. At the same time, the work aims to critically evaluate the problematic aspects of the selected obligations and possibly propose a solution *de lege ferenda*. The methods of description and analysis are mainly used to achieve the set goals; other methods are interpretation and deduction.

The work is divided into four chapters. In the first chapter of the thesis, basic concepts were defined, i.e., the concept of advocacy and the provision of legal services. The current legislation was also presented, and attention was also paid to the legal prerequisites for the practice of advocacy, the possible forms of the practice of advocacy and the independence of the advocate as a basic pillar of advocacy. Part of this chapter was also a description of some attorney's rights. The lawyer's right to remuneration was critically evaluated.

The second and, at the same time, pivotal chapter focused on an attorney's individual obligations, which result from legal and professional regulations during the practice of advocacy. The obligations are interpreted here with regard to current legislation and supplemented with relevant examples from the Commission's disciplinary practice. These obligations are divided into five different categories – general obligations of the attorney, obligations towards the client, obligations towards the Chamber, obligations towards the legal profession, and other obligations of the attorney arising from the code of ethics, while attention is paid primarily to the obligation of the attorney in proceedings before courts and other authorities.

The third chapter deals with the consequences of breaching the obligations above, it focuses on disciplinary responsibility and disciplinary offences, especially its interpretation.

The last part of the work is devoted to considerations of *de lege ferenda*. Based on the knowledge and insights gained during the writing of this thesis, the weak points of the current legislation were identified, and their solutions were proposed.

**Key words: attorney, practice of advocacy, attorney's obligations**