

## **Abstract: Hearing in the civil proceedings in the Czech Republic and the USA**

This thesis focuses on the regulation of litigation in civil procedural law in the Czech Republic and the United States of America, describing the two and comparing them based on the gained knowledge about them. The first chapter is devoted to the general regulation of civil procedural law in both countries so that the terminology explained can be followed up with an interpretation. The similarities in the regulation of the basics of procedural law are mentioned, as well as the differences concerning, in particular, the existence of a two-track court system in the United States and the composition of the court, where the decision-making element of the jury, which is encountered in the legislation in the United States, plays a large role. The second chapter is devoted to the hearing of the case itself, either without or with an oral hearing. Greater attention is then given to the conduct of the hearing itself in both arrangements, including its preparation, opening, evidence, concentration and briefing, adjournment, and, last but not least, the announcement of the decision. The third chapter focuses on the comparison of the Czech and American regulations and the possibilities of their mutual improvement. The third chapter then concludes with a comparison of the clarity and coherence of the different arrangements. The comparison of the legal arrangements in the Czech Republic and the United States also occurred outside of the third chapter, which dealt with these overall sub-issues throughout the thesis. The result of the comparison is that the American procedural law concentrates power in the proceedings more in the hands of the parties, while the Czech legislation attributes more emphasis to the control and management of the process by the court. American procedural law thus emphasizes flexibility and adaptability of the proceedings to the specific case at hand, while Czech procedural law, on the other hand, emphasizes the legal certainty and predictability of the proceedings.

### **Key words**

- Hearing, contentious procedure, civil proceedings in the USA.