

## **Abstract (eng)**

This thesis deals with attorney confidentiality which is the main standard of independent advocacy.

First chapter of this thesis discuss the role of attorney in the society and consist of three subchapters about the fundamental right to legal aid, advocacy as freelance profession and about the role and status of advocacy in the law system.

The second chapter introduces three main pillars of modern advocacy such as independency, autonomy and confidentiality. Each subchapter of this chapter contains one of the main pillars.

The third chapter is exclusively devoted to attorney confindetiality. This part is divided into three subchapters, of which the first focus on historical developement of attorney confidentiality since the beginnings of advocacy to the modern age. The main theme of second subchapter is the explanation of the range of confidentiality, such as personal, factual and chronological scope. Third subchapter analyses main legal fields which touches and regulates legal confidentiality in advocacy. Specifically about advocacy, civil, crime, administrative and financial law.

The fourth chapter of this thesis describes in detail very specific cases in which breach of attorney confidentiality is necessary and is expressly assumed, such as confidentiality waiver, cases of granting of substitution authority, conflicts between the attorney and his client, criminal proceedings against the attorney, specific proceedings conducted by the Czech Bar Association. Other specific example of breaching attorney confidentiality is the obligation to thwart a crime, and lastly the laws measures against legalization of criminal proceeds. These specific examples are divided into multiple subchapters.

Last chapter of this work deals with examples of breaching attorney confidentiality and its consequences. One of the subchapters is devoted to the disciplinary practice of the Czech Bar Association. Attorney's liability for breach of confidentiality is in this chapter analysed from the private law and public law perspective.

**Key words: Attorney, advocacy, attorney confidentiality**