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Diploma thesis

Support between parents and children

The reason why I decided to turn my attention towards the topic of support between parents and children is that I consider the legal regulation of support obligation which parents have to their children and children to their parents to be particularly important issue which is more than capable to affect our lives in major way, as regards both children and parents' lives. The purpose of my thesis is to analyze current state of legislation, case law and doctrinal views referring to the chosen topic and present to the reader a compact study of these focuses.

In the beginning of the thesis there are introductory chapters consisting of clarification of some basic concepts and terms. The next part of the thesis is divided into six main chapters presenting a brief outline of the historical development of support obligations in family law, regulation of child support obligations of parents, the support obligation of children towards parents, regulation of support obligations in the European Union and its Member states, international regulation and finally case law that applies to the topic.

Chapter named Child support obligation of parents is further subdivided into several parts, where the thesis deals with the current regulation, conditions of the establishment of the child support claim, its duration and termination and further a mention of a few specific types of support obligations towards children. Similarly structured is another chapter of the thesis named Support obligation of children towards parents which is concerned with the current regulation and the establishment of this claim, particularly with regard to the interpretation of the concept of "decent maintenance".

Chapter named Regulation in the States of the European Union mentions how the topic is governed by the law of some Member states with a particular accent on the important European legislation.

The penultimate chapter is concerned with the international law including the Hague Protocol and the final chapter focuses on the case law.

Certain critical conclusions pointing out some shortcomings of the current situation are drawn in Chapter Ten, last chapter of my paper, where also my suggestions referring to possible changes of legal regulation and application standards are provided.

Key words

Rodinné právo – Family Law

Vyživovací povinnost – Support obligations

Výživné mezi rodiči a dětmi – Support between parents and children