

Summary

This thesis investigates the main perspectives of the reimbursement of costs in trial proceedings and enforcement proceedings. During the process of the judicial decision-making is often the issue of reimbursement of costs in trial proceedings and enforcement proceedings considered as of lesser importance. Nevertheless, the extent of professional discussion and frequent amendments of relevant legal regulations testify the very opposite. For this reason, one of the basic aims of this study was to perform a solid analysis of relevant legal adjustments, to point out the real problems while applying them and also to bring the suggestions of possible changes of particular legal regulations.

The parts of this thesis are as following – introduction, five chapters, and conclusion. In the introductory part, the author defines the issue and aims of the work which are further described in following chapters. It also contains a definition of basic and key terminology.

The first chapter introduces an overview of types of particular costs in trial proceedings, which are essential for understanding the principles and their consequent reimbursements. Alongside with a summary of historical evolution, the author also included practical enforcement and last but not least – the most frequent difficulties of reimbursement calculation are highlighted.

In the second chapter, the author deals with the characteristic of particular rules connected with legal regulations of entire reimbursements of the costs in a trial. Proper attention is also given especially to contentious proceedings including the system of remedies. The author also further focused on unusualness of non-contentious proceedings.

The third chapter explores the topic of reimbursement of costs in trial proceedings of petty cases, which is currently considered as probably the most controversial. Formation of the problem is described there, especially taking into account the court decision-making. The author also emphasizes the gradual evolution of dealing with them and examines the circumstances of applying § 14b of attorney's rates altogether with consequences of its implication. All the work is completed with links concerning this issue.

The fourth chapter of this thesis first distinguishes the difference of terminology of giving a ruling and enforcement. There is an analysis of kinds of reimbursement of costs in giving a ruling and outline of rules for their reimbursement.

The last chapter is devoted to reimbursement of costs in enforcement proceedings. First, particular types of reimbursement of costs in enforcement proceedings are mentioned and further followed by analysis of specific features of the reimbursement. The forms of the decision process of the reimbursements are also mentioned and another important part is a specific remedial feature in the form of objection against reimbursement of enforcement.

To conclude, the author of the thesis summarizes the findings and further sets possibilities of possible improvement of the legal adjustments.