

[Extraordinary remedies in the civil procedure system]

Abstract

This thesis deals with the Czech system of extraordinary remedies in civil proceedings, not only with their historical genesis and current functioning, but also with a focus on current issues related to them, especially in connection with the forthcoming recodification of civil procedure.

The thesis is structured into chapters and is divided into a general part and a special part. In the general part, which includes chapter one, the author attempts to define the basic issues of extraordinary remedies and their distinction from ordinary remedies. Attention is thus paid to the subject of legal force, systems of appeal and the definition of types of defects in decisions, which can be used to distinguish one extraordinary remedy from another. The general part also includes a historical excursion into the legal regulation from the Civil Procedure Code of 1895 to Act No. 404/2012 Coll., which fundamentally changed the admissibility of appeals. The general part concludes with a clarification of the issue of the competition of extraordinary remedies and a comparison with the Slovak system in the light of the current recodification of civil procedure here.

The special part, which includes chapters two to six, is introduced by a description of the current form of extraordinary remedies in the Czech Republic. Attention is thus paid to appeals, actions for miscarriage of justice and actions for retrial. The special section also includes an analysis of the regulation of admissibility of extraordinary remedies in the framework of the Substantive Plan and its own assessment of its potential advantages or disadvantages for future practice. In the final chapter of the special part, the author discusses *de lege ferenda* considerations relating to the issues under examination.

In his thesis, the author applies the following research methods - the descriptive method in describing the current state of the legal regulation, the analytical method in examining the essence of the individual legal institutes discussed, and the comparative method in comparing the current regulation with the proposal contained in the 2020 Substantive Plan of the Civil Code.

Keywords: [extraordinary remedies, admissibility, systems of remedy]