

## **The court's duty to instruct**

### **Abstract**

This text deals with the court's duty to instruct in civil procedural law. The author stresses that this duty expedites proceedings and prevents unnecessary delays. At the same time, however, he draws attention to the importance of protecting the rights of the parties so that they are not prejudiced by the speed of the proceedings. The author focuses on issues relating to the manner in which the court is to conduct the briefing, the individualization of the approach to the parties, and the consequences of failure to comply with this obligation.

The text is structured in four parts, which deal with different aspects of the duty to instruct, including historical development, the general duty to instruct, special instructions in the course of proceedings, and instructions in uncontested proceedings. The work also discusses the relationship between the duty to instruct and the concentration of proceedings.

The thesis aims to find the right compromise between the efficiency of the proceedings and the protection of the rights of the parties. The author stresses that the instructions should be targeted, and specific, and warn of the consequences of non-compliance. It also points out the importance of correct recording and compliance with the time limits associated with the instructions.

Overall, the text seeks to analyze and discuss the meaning and implementation of the court's duty to instruct in civil proceedings, with an emphasis on the balance between efficiency and the protection of the rights of the parties. The duty to instruct is a complex institution that permeates the entire course of proceedings and is important for a fair trial. The author points to the constant development of this institute through amendments to laws and case law, which serves to supplement and clarify its application in practice.

Thus, the text seeks to offer a perspective on the meaning and implementation of the court's duty to instruct in civil procedural law, with an emphasis on the development, specifications, and relationship to the overall course of the proceedings. The author aims to strike a balance between efficiency and legal protection of the parties, pointing out the constant need to update and refine this institute in response to changing conditions in practice.