

Subject: CZECH FAMILY LAW

Co-ordinator: JUDr. Ing. Radovan Dávid, Ph.D.

Lecturers: JUDr. Ing. Radovan Dávid, Ph.D.
Ph.D. students: Mgr. Martina Círbusová, Mgr. Veronika Kozlová,
Mgr. Michaela Janočková

Room: 215

Language: English

Semester: Spring 2013
Monday 15:00 – 16:30

Examination – credit requirements: 1. Semester paper – written essay and case study
2. Discussion on semester paper
3. Written Test Yes/No

The mark:

for mark A – 181 and more
for mark B – 163 – 180,
for mark C – 146 – 162,
for mark D – 129 – 145,
for mark E – 111 – 128,
F – all under 110 points

attendance (maximum 48 points – 12 x 4)
activity (maximum 24 points – 12 x 2),
semester paper (maximum 50 points)
exam (maximum 80 points)

About the subject :

Introduction into Czech Family Law. History – Presents – Future. Marriage. Registered partnership. Cohabitation. Filiations. Parental responsibility. Maintenance duty. Adoption. Foster care. Guardianship and Custodianship. Cases of the European Court of Human rights – Right to Respect Private and Family life (art. 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms).

Literature in English:

- 1) M. Hrušáková: Czech Family Law. Brno: Masaryk University, 2006.
- 2) M. Hrušáková: International encyclopaedia of laws. Family and succession law: Czech Republic: Czech Republic: Family and Succession law. International encyclopaedia of family and succession law. The Hague: Kluwer Law International, 2002. 210 s.
- 3) Z. Králíčková: Adoption in the Czech Republic: Reform in the Light of the Child Welfare Laws. The International Survey of Family Law. 2003 Edition, Jordan Publishing Limited, 2003.
- 4) Z. Králíčková: Czech Family Law after the Czech republic has acceded to the European Union. Legal Studies and Practice Journal, 2006, No. IV, s. 362 – 370.
- 5) Z. Králíčková: Czech family law: the right time for re-codification. The International Survey of Family Law. 2009 Edition. In print.
- 6) Z. Králíčková: Tention between legal, bioplogical and social parentage in the light of the best interest of the child. Legal Studies and Practice Journal, 2008 No. III, 275 – 282.
- 7) Z. Králíčková: Czech Family Law: the Right Time for Re-Codification. In: Atkins, B.(ed.): The International Survey of Family Law. 2009 Edition, Jordan Publishing Limited, 2009, s. 157 – 173.
- 8) Z. Králíčková: Legal Protection of Unmarried and Divorced Mothers in the Czech Republic. In: Verschraegen, B. (ed.): Family Finances. Vídeň: Jan Sramek Verlag, 2009, s. 281 – 291.
- 9) I. Schwenzer, M. Dimsey: Model Family Code. From a Global Perspective. Antwerpen – Oxford, Intersentia, 2006.

Case law of the International Court of Human Rights:

Case Marckx v. Belgium
Case Odièvre v. France
Case Paulík v. the Slovak Republic
Case Keegan v. Irland
Case Fretté v. France
Case E. B. v. France
Case Kutzner v. Germany
Case Wallova and Wallo v. the Czech Republic
Case Evans v. the UK
Case Z and others v. the UK
Case Bevaqua v. Bulgary
Case Schalk and Kopf v. Austria

Course syllabus: Spring term 2013

25. 2. Radovan Dávid

Introduction into Czech Family Law. History – Present – Future.

4. 3. Radovan Dávid

Marriage.

11. 3. Radovan Dávid

Cohabitation.

Registered partnership.

18. 3. Radovan Dávid

Filiations. Case study: *Case of Paulík v. the Slovak Republic*.

25. 3. Radovan Dávid

Parental responsibility.

1. 4. Radovan Dávid

Adoption.

8. 4. Radovan Dávid

Foster care.

15. 4. Radovan Dávid

Maintenance duty.

22. 4. Radovan Dávid

Guardianship and Custodianship. Institute care.

Case study: *Case of Wallova and Wallo v. the Czech Republic*.

29. 4. Radovan Dávid

Law against Domestic Violence.

6. 5. Radovan Dávid

Discussion on written essay and case study. The test.

+ Radovan Dávid/Martina Cirbusová/Michaela Janočková

Visit to the Office for the International Legal Protection of Children.

Intercountry adoption and Problems of International Child' Abductions.