

**Pl.ÚS 13/99**

**Parties:** City court Praha vs. Parliament

**Facts:** City court in Praha alleged made complaint to Parliament of Czech republic because statute n. 268/1998 according to him was against constitution CR. Reason is that has effect to past and this is according to article 12 of Czech constitution forbidden.

**Legal issue:** Constitutional court accept his complaint. After revision constitutional court did not see problem in effect to past but in fact that salary of judges was decrease.

**Procedural history:** At first one of judges from city court in Praha wanted back his money for second half of year 1998 so he bring an action against state. City court in Praha according to statute n. 268/1998 decided in judges disadvantages. But find that statute n 268/1998 is against constitution of Czech republic so made complaint to constitution court.

**Reasoning of the court:** Court thought that decrease of salary of judges can violate their independence (article 82 constitution CR). From this reason he crossed out word "soudcům" in statute n.268/1998. In his ruling said that he thinks that judges should be group of people who should have enough money to make independent decision. They should not take any bribe or any other kind of things that can violate their independence. Also is saying that the same opinion has court in USA.