

Subject: CZECH FAMILY LAW

Co-ordinator: doc. JUDr. Zdeňka Králíčková, Ph.D.

Lecturers: doc. JUDr. Zdeňka Králíčková, Ph.D.
JUDr. Radovan Dávid
Ph.D. students

Room: 254

Language: English

Semester: Spring 2010
Monday 11,10-12,40

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).

Course syllabus - general:

1. Introduction into Czech Family Law. History – Present – Future.
2. Marriage.
3. Registered partnership.
4. Cohabitation.
5. Filiations. Case study: *Case of Paulík v. the Slovak Republic.*
6. Parental responsibility.

7. Maintenance duty.
8. Adoption.
9. Foster care.
10. Case study: *Case of Wallova and Wallo v. the Czech Republic*.
11. Guardianship and Custodianship.
12. Law against Domestic Violence in the Czech Republic.

Literature in English:

- 1) 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.
- 2) M. Hrušáková: Czech Family Law. Brno: Masaryk University, 2006.
- 3) The Czech republic: Civil Code “Občanský zákoník”. 2007 editon. Praha: Trade Links. 2007.
- 4) 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.
- 5) 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.
- 6) Z. Králíčková: Czech family law: the right time for re-codification. The International Survey of Family Law. 2009 Edition. In print.
- 7) 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.
- 8) 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.
- 9) 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.
- 10) I. Schwenzer, M. Dimsey: Model Family Code. From a Global Perspective. Antwerpen – Oxford, Intersentia, 2006.

Cases of the International Court of Human Rights:

Case Marckx v. Belgium
Case Odièvre v. France
Case of Paulík v. the Slovak Republic
Case Keegan v. Irland
Case Fretté v. France
Case E. B. v. France
Case Kutzner v. Germany
Case of Wallova and Wallo v. the Czech Republic

Course syllabus: Spring term 2010

I.

1. 3. Zdeňka Králíčková

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

II.

8. 3. Martin Kornel

Cohabitation.
Registered partnership.

III.

15. 3. Zdeňka Králíčková

Marriage.

IV.

22. 3. Zdeňka Králíčková

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

V.

29. 3. Anna Hořínová

Parental responsibility.

5. 3. *Easter – No lecture*

VI.

12. 4. Zdeňka Králíčková

Adoption.

VII.

19. 4. Zdeňka Králíčková

Foster care.

VIII.

26. 4. Martin Kornel

Maintenance duty.

IX.

3. 5. Radovan Dávid

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

X.

10. 5. Radovan Dávid

Law against Domestic Violence.

XI.

17. 5. Zdeňka Králíčková

Discussion on written essay and case study. The test.

XII. Michaela Janočková

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Visit to the Office for the International Legal Protection of Children.
Intercountry adoption and Problems of International Child Abductions.