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My rights after trial

A) Do I have the right to appeal the court's decision?

After the indictment is filed, the court may take a decision in the form of a penal order without a trial. If the court issues a penalty order, you may lodge an objection within 8 days of being notified. If you lodge an objection, the penal order is cancelled and a court hearing will be held.

You can appeal against the judgment of the court of first instance directly after the sentence has been announced or within 15 days from that date. If you were not present at the court, you must appeal within 15 days from receiving the decision in writing to the court which issued the judgment. You may appeal against the judgment as a whole or only a part of it.

If you appeal, the judgement will not become final and enforceable until an appellate court issues a decision.

The appeal court will dismiss your appeal if you file it after the time limit for appeal, if you have waived your right of appeal, or if it considers the judgment of the court of first instance to be correct and lawful. The decision of the court of appeal is final and enforceable.

Alternatively, the court of appeal may annul the judgment and return the case to the lower court for further proceedings, or rule on the case itself.

B) What other recourse options do I have?

You cannot appeal against a decision of the appellate court.

You can file a Supreme Court appeal [*dovolanie*], petition the Minister of Justice to file a Supreme Court appeal, or file a motion for the case to be reopened. However, the final decision of the appellate court remains valid and enforceable. If you were sentenced to imprisonment without the possibility of probation or parole, you must start serving your prison sentence.

You can file a Supreme Court appeal with the court which decided the case in the first instance within 3 years from the date when you received the written final decision in the case. A Supreme Court appeal can be filed only on the specific grounds set out in the Code of Criminal Procedure.

You may file a motion requesting reopening of the case if new facts that were not known during the trial have come to light and these new facts are so significant that they could reverse the final decision.

C) What are the consequences if I am sentenced?

i) Criminal record

If you were found guilty, that information will be retained in the criminal register. It can be requested by different state authorities, for example for the purposes of other criminal proceedings. A copy [*odpis*] from the criminal register shows all convictions, while an extract [*výpis*] from the criminal register does not show expunged convictions.

v) Execution of sentence, transfer of prisoners, probation and alternative sanctions

When the court decision by virtue of which you have been sentenced to imprisonment becomes enforceable, the court will order you to report to prison to serve your sentence, or it will order that you be escorted to prison.

You may ask the court to postpone imprisonment if you become seriously ill. If your prison sentence does not exceed 1 year, the court may postpone it for up to 3 months (or for longer, in exceptional circumstances) for important reasons.

If you are given a suspended sentence with probation, you are required to submit to the probation officer's supervision and the court will monitor your behaviour during the set probation period. The court may issue a decision stating that you have met the conditions of probation or that you failed to meet those conditions, in which case you will be ordered to serve your sentence in prison.

Alternative sanctions are penalties that serve as an alternative to imprisonment. Their aim is to ensure protection of society while allowing the convicted person to stay out of prison.

Alternative penalties are as follows: home confinement, community work, fines, a suspended sentence and a suspended sentence with probation.

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