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German

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Court fees concerning Small Claims procedure

Germany

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Introduction

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Introduction

The court costs for the European small claims procedure are set out in the Law on Court Costs (Gerichtskostengesetz).

The court requests the payment of court costs by way of a court cost invoice. Fees are due when the application initiating the procedure is lodged. However, the progress of the procedure does not depend on the payment of fees.

In addition to the applicant, anyone on whom such liability is imposed by the court, or anyone who assumes liability as part of a settlement, is also liable for the court fees.

What fees are applicable?

The specific fees are listed in an appendix (Cost Index – Kostenverzeichnis) to the Law on Court Costs. Point 1210 of the Cost Index specifies a fee rate of 3.0 for the European small claims procedure. In case of early termination of the procedure, this fee is reduced to a rate of 1.0 (Point 1211 of the Cost Index). The amount of the fee is determined by the amount in dispute, which is usually identical to the value of the claim lodged.

How much shall I pay?

Fees payable:

Values up to EUR	3.0 fee rate EUR	1.0 fee rate EUR
500.00	105.00	35.00
1 000.00	159.0	53.00
1 500.00	213.00	71.00
2 000.00	267.00	89.00

In addition to the fees, all expenses incurred must be paid, such as the costs of service, witnesses, experts and interpreters.

What happens if I do not pay the court fees on time?

Unpaid legal costs will be recovered by enforcement by the court cash desks (Gerichtskassen).

How can I pay the court fees?

Payment is possible by bank transfer to the account indicated in the invoice. The reference number must be indicated in the transfer.

a) by bank transfer

Payment by bank transfer is possible.

b) by credit card

Payment by credit card is not possible.

c) by direct debit from your bank account

Payment by direct debit is not possible.

d) other methods of payment (please specify)

No other methods of payment are available.

What shall I do after the payment?

The progress of the procedure does not depend on the payment.

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