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Costs

Czech Republic

You can find information about the costs of justice in the Czech Republic on this page. For a more in-depth analysis on the costs of proceedings, please consult the following case studies: Family law - Divorce Family law – custody of the children and alimony Commercial law – contract Commercial law – responsibility

Regulatory framework governing the fees of legal professions

Lawyers

There is only one type of lawyer (advocate) in the Czech Republic, no barristers or solicitors.

The [Regulation of the Ministry of Justice No. 177/1996 Sb. of 4th June 1996](#) deals with the fees and remuneration payable to lawyers for the provision of legal services (the lawyers' tariff). It is available in English on the website of the Czech Bar Association.

Lawyers' fees can also be agreed privately between the parties involved.

In most civil law cases (including family and commercial matters), legal representation is not mandatory.

Fixed costs

Fixed costs in civil proceedings

Fixed costs for litigants in civil proceedings

Act. No 549/1991 Coll. on judicial payments (no English language version available) governs the costs payable in respect of civil proceedings. These vary according to the type of proceeding. Fixed fees apply in some cases; in others, the fee payable is calculated on the basis of a percentage.

In all cases, costs must be paid in Czech currency (CZK) and may be sent by bank transfer to the account of the state (or court). Costs of up to CZK 5000 can be paid by government fiscal stamp (kolek), which may be purchased at post offices and certain other places.

The court must notify the individual making the claim as to the specific amount she or he must pay.

Stage of the civil proceeding where fixed costs must be paid

Costs must be paid within three days of the date of notification, before the first hearing takes place.

Fixed costs in criminal proceedings

Fixed costs for litigants in criminal proceedings

Criminal proceedings are always started ex officio (by the office of the state prosecution), and the defendant pays only the costs of legal representation.

Stage of the criminal proceeding where fixed costs must be paid

There are no judicial costs in criminal proceedings.

Fixed costs in constitutional proceedings

Fixed costs for litigants in constitutional proceedings

There are **no fixed judicial costs** for actions brought before the **Constitutional Court** of the Czech Republic, but representation by a lawyer is mandatory.

Stage of the constitutional proceeding where fixed costs must be paid

There are no fixed judicial costs.

Prior information to be provided by legal representatives

Rights and obligations of the parties

There is no obligation imposed on legal representatives to supply prior information.

The rights and obligations of the parties may be agreed between a lawyer and his/her client.

Cost sources

Where can I find information on cost sources in the Czech Republic?

It is advisable to consult a lawyer about each specific case. Once an action has begun, the court becomes responsible for notification of the court fees to be paid.

In what languages can I obtain information on cost sources in the Czech Republic?

As the only official language in the Czech Republic is Czech, there is no legal obligation to provide information in other languages. The quality of information thus depends on the willingness and skills of the individual providing information.

Where can I find information on mediation?

Information on mediation can be found on the website of [The Association of Mediators of the Czech Republic \(AMČR\)](#)

Where can I find additional information on costs?

Available website on costs information

There is no official website providing information on costs.

Where can I find information on the average length of time that different procedures take?

Various statistics are provided on the website of the **Ministry of Justice**; however, much depends on the particular case at hand. Some legal rules stipulate time limits only in relation to specific acts by the court (e.g. preliminary rulings).

Where can I find information on the average aggregate cost for a particular type of case?

The costs payable depend on the circumstances of each case; it is not, therefore, possible to provide such information in advance.

Value added tax

How is this information provided?

Judicial costs are VAT-free, and their amount is finite. The lawyer's tariff does not include VAT. However, certain law firms, which are VAT payers, add VAT (19%).

What are the applicable rates?

See the point above regarding VAT.

Legal aid

Applicable income threshold in the area of civil justice

No specific income threshold is set. However, on request, judges may review each situation individually. Partial or total exemption from payment of the court fee may be granted, provided the claimant has not launched an unreasonable action. A court may assign a legal assistant to a claimant where legal representation is mandatory.

Free legal aid is provided by specialised NGOs (depending on the subject matter) or by the Czech Bar Association. In specific cases, the **Czech Bar Association** may appoint a lawyer to provide legal services free. Qualifying for free legal aid not only takes into account the person's income, but also the overall financial situation of her or his household.

Applicable income threshold in the area of criminal justice for defendants

No specific income level is set. Courts assign a lawyer to a defendant in all situations where legal representation is mandatory and the defendant does not have his/her own lawyer.

Applicable income threshold in the area of criminal justice for victims

Only certain NGOs provide free legal aid to victims. Victims are party to criminal proceedings in a few specific cases only; in others, they are obliged to bring an action (the information given above on the income threshold applicable for legal aid in the area of civil justice is relevant).

Other conditions attached to the granting of legal aid for victims

Victims may claim compensation from the **Ministry of Justice** (according to Act No. 209/1997 Coll.).

Other conditions attached to the granting of legal aid for defendants

The information given above on the income threshold applicable for legal aid for defendants in the area of criminal justice is relevant.

Cost-free court proceedings

Claims brought before the **Constitutional Court** are cost-free. Court fees are also not requested in certain types of proceedings (specified in § 11 Act No. 549/1991 Coll. on court fees) — for example, where the claimant is a minor and in certain other cases (e.g., where the state or its organs is party to the proceedings; where a foreigner is claiming asylum, or in other cases involving 'weaker' parties).

When does the losing party have to pay the winning party's costs?

It is up to the judge to decide (in his/her final decision) in each specific case; the judge may order the losing party to pay all or part of the costs. However, this does not apply in divorce proceedings. Orders for costs may also cover the lawyer's costs.

Experts' fees

The court pays the fees of experts it appoints. The contending parties are responsible for an expert's fees only when they themselves request the services of an expert. In certain specific cases, the court may decide that the losing party should pay an expert's fee.

Translators' and interpreters' fees

The court is responsible for paying the fees of translators or interpreters in court proceedings; where the party is a foreigner who does not understand Czech, he or she has the right to address the court in his or her native language.

Related Attachments

[Czech Republic's report of the Study on Transparency of costs](#)  (703 Kb) 

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