

1 Existence of a specific small claims procedure

Yes, there is a special procedure for civil matters involving small amounts.

1.1 Scope of procedure, threshold

The special procedure for civil matters involving small amounts is followed by the ordinary court of first instance (the district court; 'tingsrätt') when the plaintiff's claim falls below a certain threshold value. The threshold is currently (as of 2013) SEK 22 500. The threshold value is not an amount laid down in law, but it is linked to what is known as the price base amount, and this means that the threshold value is calculated with reference to the price trend.

1.2 Application of procedure

The opportunity for using this procedure is not restricted to certain types of case, such as civil consumer cases. The applicable criteria are that the case must be a civil action, and that the value of the dispute must lie below the threshold value. The procedure cannot be used in family cases.

1.3 Forms

There is no standard form for initiating the procedure for a case involving a small amount. There is a form for applying for a summons, which may be used regardless of the amount involved in the case. The form is available on the Swedish National Courts Administration ('Domstolsverket') website (<http://www.domstol.se/>) in [Swedish](#) and [English](#).

1.4 Assistance

If recourse is had to a district court ('tingsrätt'), help is available for instigating proceedings. State authorities have a general service obligation that is enshrined in law. This obligation means that people can telephone or visit a district court, for example, and receive general advice about the proceedings and the rules that apply to them. The presiding judge also has an obligation to ensure that the matters at issue are clarified, and that the parties specify what they intend to rely upon in the case, during the preparations for the case and depending on the nature of the case. In practice, the judge discharges his or her duties by means of additional questions and remarks.

1.5 Rules concerning the taking of evidence

There are no special rules for cases concerning disputes involving small amounts. In other words, both verbal and written evidence may be submitted. Written witness statements are only permitted in certain special situations. More information about the rules on the taking of evidence under Swedish law may be found [here](#).

1.6 Written procedure

There is an opportunity for the court to deliver a ruling purely on the basis of written proceedings. This opportunity is used where verbal proceedings are neither required with reference to the investigation of the case nor requested by either party.

1.7 Content of judgment

There are no special rules governing the formulation of a judgment in cases involving small amounts. The following applies to all civil cases, including judgments in cases involving small amounts. The judgment must be issued in writing and contain the following information in separate sections: the name of the court and the date and place of issue of the judgment, the parties and their representatives or counsel, the operative part of the judgment, the claims and pleadings of the respective parties and the circumstances on which they are based, and the grounds for the judgment, including information concerning what was proved in the case.

1.8 Reimbursement of costs

The special rules concerning costs are the most important special feature of cases involving small amounts. The party that wins the case only has the right to compensation for one hour's legal advice on one occasion at each court, as well as the application fee, travel and subsistence expenses in connection with the court session, the costs of evidence from witnesses, and the costs of translating documents. The compensation will be awarded if the costs were claimed reasonably in order for the winning party to be able to enforce his or her rights. The remuneration of representatives is therefore not compensated for, over and above the amount corresponding to one hour's advice.

1.9 Possibility to appeal

A judgment issued by a lower court may be appealed against to a higher court.

Leave to appeal is required in order for the court of appeal ('hovrätt') to examine the judgment by the district court ('tingsrätt'). Leave to appeal may only be granted if examination of the appeal by a higher court is of importance for managing application of the law, if there are grounds for changing the decision made by the district court, or if there are other reasonable grounds for examining the appeal. A party who wishes to appeal against a judgment by the district court must do so in writing, and the appeal must have reached the district court within three weeks of the date on which the judgment was issued.

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