

Home>Klage vor Gericht>Wo und wie>**Kosten**

Kosten

Litauen

Diese Seite enthält Informationen über Verfahrenskosten in Litauen.

[Familienrecht – Scheidung](#)

[Familienrecht – Sorgerecht für Kinder](#)

[Familienrecht – Unterhaltspflichten](#)

[Wirtschaftsrecht – Vertrag](#)

[Wirtschaftsrecht – Haftpflicht](#)

Gebührenordnung für Rechtsberufe

1. Solicitor (solisitoriai)

Dieses Berufsbild existiert in Litauen nicht.

2. Rechtsanwalt (advokatai)

Die Honorare von Rechtsanwälten sind in Litauen nicht offiziell geregelt. Sie hängen von der Komplexität des Falls und vom Ressourcenbedarf ab. Die Gebühren dürfen jedoch den empfohlenen und von dem **Justizminister** sowie dem **Vorsitzenden des Rates der litauischen Anwaltskammer (Lietuvos advokatų tarybos pirmininkas)** gebilligten Höchstbetrag nicht überschreiten.

3. Barrister (baristeriai)

Dieses Berufsbild existiert in Litauen nicht.

4. Gerichtsvollzieher

Ein Gerichtsvollzieher wird nur beauftragt, wenn der Schuldner der Entscheidung des Gerichts nicht nachkommt und ein vollstreckbarer Titel vorliegt. Betrag, Zahlungsmodalitäten und Erlass von Vollstreckungskosten sind in den Anweisungen zur **Urteilsvollstreckung** geregelt. Alle Vollstreckungskosten müssen vom Vollstreckungsgläubiger getragen werden. Die Gerichtsvollziehergebühren müssen während oder nach der gerichtlichen Pfändung vom Schuldner eingezogen werden.

Der Betrag ist abhängig von der Art der Vollstreckung und der Zahl der durchgeführten Vollstreckungsmaßnahmen. Einige Vollstreckungskosten sind Fixkosten, andere werden zu einem Stundensatz von 60 LTL oder anteilig zum Wert des Vermögens, das der Vollstreckung unterliegt, berechnet.

Fixkosten

Fixkosten im Zivilverfahren

Fixkosten für die prozessführende Partei im Zivilverfahren

Die Prozesskosten im **Zivilverfahren** setzen sich zusammen aus den Stempelgebühren sowie den Kosten für den Anwalt, die Zustellung von Gerichtsdokumenten, Sachverständige, Zeugen, gerichtliche Pfändung usw. In einigen Fällen ist die Stempelgebühr in der Zivilprozessordnung festgehalten. Die Prozesskosten sind in Abschnitt VIII der **Zivilprozessordnung** (Civilinio proceso kodeksas) geregelt.

Phase des Zivilverfahrens, in der die Fixkosten der prozessführenden Parteien fällig werden

Die Stempelgebühren werden üblicherweise entrichtet, bevor die Sache vor Gericht verhandelt wird.

Fixkosten im Strafverfahren

Fixkosten für die prozessführenden Parteien im Strafverfahren

In Strafverfahren gibt es keine Fixkosten.

Fixkosten in verfassungsrechtlichen Verfahren

Fixkosten für die prozessführenden Parteien in einem verfassungsrechtlichen Verfahren

Verfassungsrechtliche Verfahren sind kostenlos, können jedoch nicht von jedermann eingeleitet werden.

Informationspflichten des Rechtsanwalts/Rechtsbeistands

Der Rechtsanwalt/Rechtsbeistand unterliegt keinerlei gesetzlichen Informationspflichten.

Von der obsiegenden Partei zu tragende Kosten

Die Prozesskosten sind in Abschnitt VIII der Zivilprozessordnung geregelt.

Kostenfestsetzung – Rechtsgrundlagen

Wo sind weitere Informationen über die Kostenfestsetzung in Litauen erhältlich?

Weitere Informationen sind dem [Länderbericht Litauens im Rahmen der Studie zur Kostentransparenz](#)  (950 Kb)  zu entnehmen.

In welchen Sprachen sind Informationen über die Kostenfestsetzung in Litauen erhältlich?

Die Informationen sind in englischer Sprache erhältlich.

Wo kann man sich über Mediation informieren?

Weitere Informationen bietet die Website über das [gerichtliche Mediationsverfahren](#).

Prozesskostenhilfe

Voraussetzungen für die Gewährung von Prozesskostenhilfe

Das litauische Gesetz unterscheidet zwischen zwei Arten von staatlich gewährter Prozesskostenhilfe:

Die „**primäre Prozesskostenhilfe**“ (pirminė teisinė pagalba) umfasst Prozesskostenhilfe nach Maßgabe des Gesetzes über staatlich garantierte Prozesskostenhilfe, Rechtsberatung sowie die Abfassung von Schriftstücken zur Vorlage bei zentralstaatlichen und kommunalen Behörden mit Ausnahme von Verfahrensunterlagen. Ebenfalls von der Prozesskostenhilfe abgedeckt sind Beratungen zur außergerichtlichen oder gütlichen Streitbeilegung sowie die Ausarbeitung von Vergleichsvereinbarungen.

Die „**sekundäre Prozesskostenhilfe**“ (antrinė teisinė pagalba) umfasst die Abfassung von Schriftstücken sowie die Verteidigung und Vertretung vor Gericht. Sie erstreckt sich auch auf Vollstreckungsmaßnahmen sowie die Vertretung während der außergerichtlichen Phase im Vorfeld der Verhandlung, wenn ein solches Verfahren gesetzlich oder durch einen Gerichtsbeschluss vorgesehen ist. Die Prozesskostenhilfe deckt außerdem die Prozesskosten in Zivilverfahren, in Verwaltungsverfahren sowie für eine Zivilklage in einer Strafsache ab.

Alle Staatsbürger der Republik Litauen und der übrigen Mitgliedstaaten der Europäischen Union, alle sonstigen natürlichen Personen mit rechtmäßigem Wohnsitz in Litauen oder einem anderen EU-Mitgliedstaat sowie alle anderen Personen, die hierfür aufgrund der von Litauen unterzeichneten internationalen Abkommen in Frage kommen, haben **unabhängig von ihrem Einkommen Anspruch auf primäre Prozesskostenhilfe**.

Alle Staatsbürger der Republik Litauen und der übrigen Mitgliedstaaten der Europäischen Union sowie alle sonstigen natürlichen Personen mit rechtmäßigem Wohnsitz in der Republik Litauen oder einem anderen EU-Mitgliedstaat können einen Antrag auf sekundäre Prozesskostenhilfe stellen. Damit der Antrag gewährt wird, dürfen **Vermögen und Jahreseinkommen einer Person die im Gesetz über staatliche Prozesskostenhilfe festgelegten Obergrenzen nicht übersteigen**.

Die Bedürftigkeit bemisst sich nach einheitlichen Schwellenwerten (wer einen bestimmten Betrag unterschreitet, gilt als bedürftig).

Anspruch auf Prozesskostenhilfe

Zur Ermittlung des Anspruchs auf Prozesskostenhilfe werden **zwei verschiedene Vermögens- und Einkommensgrenzen** zugrunde gelegt. So dürfen weder die Höhe des Vermögens und des Einkommens des Antragstellers noch sein jährliches Nettoeinkommen (in den vergangenen zwölf Monaten) die gesetzlich festgelegten Obergrenzen für einen vollen bzw. teilweisen Anspruch überschreiten.

Bei der Gewährung von sekundärer Prozesskostenhilfe ist Bedürftigkeit jedoch nicht das einzige Kriterium.

Ein **voller** Anspruch auf Prozesskostenhilfe besteht, wenn das Jahreseinkommen einer Person 8 000 LTL (2 318,8 EUR) zzgl. 3 000 LTL (869,6 EUR) für jeden Unterhaltsberechtigten nicht übersteigt. Ein **teilweiser** Anspruch auf Prozesskostenhilfe besteht, wenn das Jahreseinkommen einer Person 12 000 LTL (3 478,2 EUR) zzgl. 4 400 LTL (1 275,3 EUR) für jeden Unterhaltsberechtigten nicht übersteigt. Die Verpflichtungen des Antragstellers gegenüber seinen Unterhaltsberechtigten werden bei der Feststellung der Bedürftigkeit nicht berücksichtigt.

Die vermögens- und einkommensabhängige sekundäre Prozesskostenhilfe wird gewährt in Höhe von

100 % – wenn aufgrund von Vermögen und Einkommen der Person ein voller Anspruch besteht

50 % – wenn aufgrund von Vermögen und Einkommen der Person ein teilweiser Anspruch besteht.

Den in Artikel 12 des Prozesskostenhilfegesetzes genannten Personen (siehe unten) muss der Staat unabhängig von Vermögen und Einkommen zu 100 % sekundäre Prozesskostenhilfe gewähren. Eine Ausnahme bilden Personen, die frei über ihr Vermögen und Einkommen verfügen können (siehe Artikel 12 Unterabsatz 6). In ihrem Fall übernimmt der Staat 50 % der sekundären Prozesskostenhilfe.

Folgende Personengruppen haben gemäß Artikel 12 des litauischen Prozesskostenhilfegesetzes **unabhängig von der festgestellten Vermögens- und Einkommenshöhe** Anspruch auf sekundäre Prozesskostenhilfe:

Personen in Strafverfahren (gemäß Artikel 51 der Strafprozessordnung) und in anderen gesetzlich festgelegten Verfahren, in denen die physische Anwesenheit eines Verteidigers vorgeschrieben ist

die Geschädigten in Schadenersatzverfahren bei Schäden infolge unerlaubter Handlungen einschließlich der Geltendmachung von Ansprüchen auf Schadenersatz im Rahmen eines Strafverfahrens

Personen, denen Sozialhilfe für Familien bzw. Alleinlebende mit niedrigem Einkommen gemäß litauischem Recht gewährt wird

Personen in Pflegeheimen

Schwerbehinderte, erwerbsunfähige Personen, Personen im Rentenalter, Personen mit ausgeprägten besonderen Bedürfnissen. Auch ein Vormund (Pfleger) hat Anspruch auf Prozesskostenhilfe, wenn er sie zur Vertretung und Wahrung der Rechte und Interessen seines Mündels (Pflegekinds) benötigt

Personen, die nachgewiesen haben, dass sie aus objektiven Gründen nicht über ihr Vermögen und ihre Mittel verfügen können und deren frei verfügbares Vermögen und Jahreseinkommen aus den genannten Gründen die gesetzlich festgelegten Schwellenwerte für die Gewährung von Prozesskostenhilfe nicht überschreitet

Personen, die an schweren psychischen Störungen leiden, sofern es um ihre Zwangseinweisung und -behandlung nach dem Gesetz über Hilfen für psychisch Kranke geht. Auch ein Vormund (Pfleger) hat Anspruch auf Prozesskostenhilfe, wenn er sie zur Vertretung und Wahrung der Rechte und Interessen seines Mündels (Pflegekinds) benötigt

Schuldner im Pfändungsverfahren, wenn in dessen einzige Wohnung vollstreckt wird

Eltern oder andere Bevollmächtigte Minderjähriger im Zusammenhang mit Ausweisungsverfahren

Minderjährige, wenn sich diese zur Wahrung ihrer gesetzlich geschützten Rechte oder Interessen eigenständig an ein Gericht wenden, mit Ausnahme von Personen, die nach dem Gesetz die Ehe eingegangen sind oder vom Gericht für geschäftsfähig erklärt wurden

Personen, die sich in einem Verfahren zur Feststellung ihrer Geschäftsfähigkeit als nicht geschäftsfähig erwiesen haben

Personen in Verfahren, bei denen es um die Eintragung einer Geburt geht

Sonstige Personen in Angelegenheiten, die in den von der Republik Litauen unterzeichneten Verträgen vorgesehen sind.

Vergütung von Sachverständigen

Das Gericht entschädigt Sachverständige für den Verdienstaufschlag – an ihrer Arbeitsstelle oder bei ihrer üblichen Tätigkeit – an jedem Tag, den sie vor Gericht verbringen. Sachverständige werden für die Durchführung erforderlicher Untersuchungen bezahlt. Außerdem werden ihnen die Ausgaben im Zusammenhang mit ihrem Erscheinen vor Gericht sowie Reise- und Unterkunftskosten vergütet und ein Taggeld gewährt. Eine Partei, die die Hinzuziehung eines Sachverständigen beantragt, muss eine vom Gericht festgesetzte **Vorauszahlung** leisten. Beantragen beide Parteien die Hinzuziehung eines Sachverständigen, wird die Vorauszahlung von den Parteien zu gleichen Teilen getragen. Die Vorauszahlung wird auf ein Sonderkonto des Gerichts überwiesen.

Lädt das Gericht in gesetzlich (z.B. in der litauischen **Zivilprozessordnung** - Lietuvos Respublikos civilinis kodeksas) geregelten Fällen von sich aus **Zeugen** (liudytojai) oder **Sachverständige** (ekspertai), **werden die dafür anfallenden Kosten aus dem Staatshaushalt beglichen**. Dabei kann es sich um eine Untersuchung oder eine Inaugenscheinnahme eines Tatortes handeln.

Die Höhe der Vorauszahlung richtet sich nach den voraussichtlichen Kosten. Das Gericht vergütet die Arbeit der Sachverständigen, sobald diese ihre Aufgabe erfüllt haben. Es begleicht auch die Kosten für von Spezialeinrichtungen in Rechnung gestellte Untersuchungen. Diese Zahlungen erfolgen über das Sonderkonto des Gerichts bei einem ortsansässigen Geldinstitut. Die an Sachverständige und Spezialeinrichtungen entrichteten Summen müssen, wenn kein Vorschuss von den Parteien verlangt wurde, vom Sonderkonto des Gerichts beglichen und **von der unterlegenen Partei oder bei teilweise abgewiesenen Forderungen anteilmäßig von den Parteien getragen werden**. Das **Justizministerium** setzt die maximale Höhe dieser Kosten fest.

Vergütung von Übersetzern und Dolmetschern

Das Gericht entschädigt Übersetzer für den Verdienstaufschlag – an ihrer Arbeitsstelle oder bei ihrer üblichen Tätigkeit – an jedem Tag, den sie vor Gericht verbringen. Übersetzer werden für ihre Übersetzungstätigkeit bezahlt. Außerdem werden ihnen die Ausgaben im Zusammenhang mit ihrem Erscheinen vor Gericht sowie Reise- und Unterkunftskosten vergütet und ein Taggeld gewährt. Eine Partei, die dem Gericht Unterlagen vorlegt und deren Übersetzung in eine Fremdsprache wünscht, muss eine vom Gericht festgesetzte Vorauszahlung leisten.

Das Gericht muss die Kosten für Übersetzer aus den hierfür vorgesehenen staatlichen Mitteln decken, es sei denn, es handelt sich um die Übersetzung von den Parteien vorgelegten Verfahrensunterlagen in eine Fremdsprache. Die Kosten für Dolmetsch- und Übersetzungsleistungen während einer Verhandlung sind aus dem **Staatshaushalt zu begleichen**. Das Justizministerium setzt die maximale Höhe dieser Kosten fest.

Dokumente zum Thema

[Litauens Bericht für die Studie zur Kostentransparenz](#)  (950 Kb) 

Letzte Aktualisierung: 07/04/2023

Die verschiedenen Sprachfassungen dieser Seite werden von den betreffenden Mitgliedstaaten verwaltet. Die Übersetzung wurde vom Übersetzungsdienst der Europäischen Kommission angefertigt. Es kann sein, dass Änderungen der zuständigen Behörden im Original in den Übersetzungen noch nicht berücksichtigt wurden. Die Kommission übernimmt keinerlei Verantwortung oder Haftung für Informationen, die dieses Dokument enthält oder auf die es verweist. Angaben zum Urheberrechtsschutz für EU-Websites sind dem rechtlichen Hinweis zu entnehmen.

Case study 1 - family law - divorce - Lithuania

In this case study on family law – divorce, Member States were asked to advise the party that files for divorce on litigation costs in order to consider the following situations:

Case A – National situation: a couple gets married. Later they separate and agree to a divorce.

Case B – Transnational situation: Two nationals from a same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

Costs in Lithuania

Costs for court, appeals and alternative dispute resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	Foreign natural or legal persons are subject to the same conditions of exemption, reduction, deferral and scheduling of payments as apply to Lithuanian citizens.	The same as in the national situation	The same as in the national situation

Case Study	Appeals		
	Initial court fees	Transcription fees	Other fees
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case Study	ADR	
	Is this an option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably.	Free
Case B	The same as in the national situation	The same as in the national situation

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory	See section on Legal Profession Fee Regulation above
Case B	The same as in the national situation	The same as in the national situation

Case Study	Bailiff		
	Is representation compulsory?	Pre-judgment costs	Post-judgment costs

Case A	No	No. Bailiffs play their role only after the issue of enforcement orders.	Governed by the instructions on judgment execution. Costs must be recovered from the debtor. The amount depends on the kind of enforcement and quantity of execution actions – costs may be fixed, 60 Litas per hour or a percentage of the value of the relevant item(s)
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case Study	Expert		
	Is use compulsory?	Cost	
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.	
Case B	The same as in the national situation	The same as in the national situation	

Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
Case A	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid.
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case study	Reimbursement			
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	Parties that achieve mutual consent to divorce are relieved of litigation costs.		The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process.	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure. Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure. Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation	People who do not speak the official language, are guaranteed	The court must pay the amounts due to interpreters/translators from the state budget funds.		

	court in the state language.	expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	the right to interpretation /translation services during the proceedings.			
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation		

Last update: 08/11/2019

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Case study 2 - family law - custody of the children - Lithuania

In this case study on family law – custody of the children, Member States were asked to advise the suing party on litigation costs on litigation costs in order to consider the following situations:

Case A – National situation: Two persons have lived together unmarried for a number of years. They have a three year old child when they separate. A court decision grants custody of the child to the mother and a right of access to the father. The mother sues to limit the father's right of access.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (Member State B) for a number of years. They have a child together but separate immediately after the child's birth. A court decision in Member State B gives the child's custody to the mother with a right of access to the father. The mother and the child move to live in another Member State (Member State A) as authorized to do so by the Court decision and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's right of access.

Costs in Lithuania

Costs of court, appeals and alternative dispute resolution

Case Study	Court			Appeals		
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees
Case A	The official fees in cases involving disputes of separated parents over contact with the child are 100 Litas. The courts can adjust this by taking into consideration the quarter's consumer price index (now - 132)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.	The official fees in cases involving disputes of separated parents over contact with the child are 100 Litas. The courts can adjust this by taking into consideration the quarter's consumer price index (now - 132)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	ADR	
	Is this option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably..	Free
Case B	The same as in national situation	The same as in national situation A

Costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff		
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs
Case A	Lawyer representation is not compulsory	See section on Legal Profession Fee Regulation above	No	No	No. Bailiffs play their role only after the issue of enforcement orders Enforcement costs: 60 Litas which bailiff can claim in every execution case, 200 Litas for bailiff's salary, and other enforcement

					costs, depending on kind and quantity of execution actions.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Expert				
	Is use compulsory?			Cost	
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.			An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.	
Case B	The same as in national situation			The same as in national situation	

Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailliff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid			
	When and under what conditions is it applicable?	When is support total?		Conditions?
Case A	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)		Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid.
Case B	The same as in national situation	The same as in national situation		The same as in national situation

Case study	Reimbursement
-------------------	----------------------

	Can the winning party obtain reimbursement of litigation costs?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	The winning party can obtain reimbursement of litigation costs from the losing party.	The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process.	<p>Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law.</p> <p>Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.</p>

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under which conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People, who do not speak the official language, are guaranteed the right to interpretation/translation services during the proceedings.	The court must pay the amounts due interpreters/translators from the state budget funds.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Last update: 08/11/2019

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Case study 3 - family law - alimony - Lithuania

In this case study on family law – alimony, Member States were asked to advise the suing party on litigation costs on litigation costs in order to consider the following situations:

Case A – National situation: Two persons have lived together unmarried for a number of years. They have a three year old child when they separate. A court decision grants custody of the child to the mother. The only outstanding dispute relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (State B). They have a three year old child. They separate. A court decision in Member State B gives the child's custody to the mother. With the agreement of the father, the mother and the child move to live in another Member State (Member State A) where they establish their residence.

An outstanding dispute remains. This relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this in Member State A.

Costs in Lithuania

Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court

	Initial court fees	Transcription fees	Other fees
Case A	Plaintiffs applying for child support are exempted from the paying the official fee in cases heard by a court	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds
Case B	Foreign natural or legal persons shall be applied the same conditions of exemption, reduction, deferral and scheduling of payment of litigation costs as are applied to Lithuanian persons.	The same as in national situation	The same as in national situation

Case Study	Appeals		
	Initial court fees	Transcription fees	Other fees
Case A	Plaintiffs applying for child support are exempted from the paying the official fee in cases heard by a court	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	ADR	
	Is this option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably	Free
Case B	The same as in national situation	The same as in national situation

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
Case B	The same as in national situation	The same as in national situation

Case Study	Bailliff		
	Is representation compulsory?	Pre-judgment costs	Post-judgment costs
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) Periodic payments of alimony are enforced from the debtor's salary – 30 Litas for enforcement, which bailiff receives in every execution case, and other enforcement costs, depending on the kind and quantity of execution actions. 2) if alimony is recovered from debtor's property, enforcement costs in each case for execution and bailiff's salary will depend on the size of debt
Case B	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Expert	
	Is use compulsory?	Cost
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.

Case B	The same as in national situation	The same as in national situation
---------------	-----------------------------------	-----------------------------------

Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Other fees	
	Description	Cost
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailliff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in national situation	The same as in national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under which conditions is it applicable?	When is support total?	Conditions?
Case A	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid..

Case study	Reimbursement			
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	The winning party can obtain reimbursement of litigation costs from the losing party.	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the	The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the

		<p>insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.</p>		<p>insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they shall be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the costs of the secondary legal provided to the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50 per cent of the costs of secondary legal aid are covered, and an applicant fails to fulfil the duty to pay 50 percent of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided to the state budget within the time limits laid down by the service.</p> <p>Where the costs of secondary legal aid must be recovered, the state must be represented by the service.</p>
--	--	--	--	---

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People, who do not speak the official language, are guaranteed the right to interpretation /translation services during the proceedings.	The court must pay the amounts due to interpreters/translators from the state budget funds.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Last update: 08/11/2019

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Case study 4 - commercial law - contract - Lithuania

In this case study on commercial law – contract, Member States were asked to advise the seller on litigation costs in order to consider the following situations:
Case A – National situation: A company delivered goods worth 20.000 euros. The seller has not been paid because the buyer considers that the goods do not conform to what was agreed.

The seller decides to sue to obtain the full payment of the price.

Case B – Transnational situation: A company whose head office is located in Member State B delivers goods worth 20.000 euros to buyer in Member State A. The contract is subject to Member State B's law and written in Member State B's language. This seller has not been paid because the buyer located in Member State A considers that the goods do not conform to what was agreed. The seller decides to sue in Member State A to obtain full payment of the price as provided under the contract with the buyer.

Costs in Lithuania

Costs for court, appeals and alternative dispute resolution

Case Study	Court			Appeals			ADR
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this cost included in this type of case?
Case A	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement of the curator's work; 6) other necessary and reasonable expenses	Yes

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
Case B		

Case Study	Bailiff			Expert	
	Is representation compulsory?	Pre-judgement costs	Post-judgment costs	Is use compulsory?	Cost
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) 600 Litas if size of debt is from 50, 000 Lt (~€15,000) to 100,000 Lt (~€29,000) and 6%, but not less than 4000 Lt, of the executed debt amount as bailiff's salary, and other enforcement costs, depending on the kind and quantity of execution actions. 2) Bailiff's salary depends on size of debt.	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	No	No	Same as in a Case A		

Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

--	--

Case Study	Other fees	
	Description	Cost
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailliff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in national situation	The same as in national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement
	When and under which conditions is it applicable?	Can the winning party obtain reimbursement of litigation costs?
Case A	Legal Aid is not applicable.	The winning party can obtain reimbursement of litigation costs from the losing party
Case B		

Costs for translation and interpretation

Case study	Translation	Interpretation	
	When and under what conditions is it necessary?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	People who do not speak the official language are guaranteed the right to interpretation /translation services during the proceedings.	The court must pay the amounts due to interpreters/translators from the state budget funds.
Case B		The same as in national situation	The same as in national situation

Last update: 08/11/2019

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Case study 5 - commercial law - responsibility - Lithuania

In this case study on commercial law – responsibility, Member States were asked to advise the customer on litigation costs in order to consider the following situations:

Case A – National situation: A heating equipment manufacturer delivers a heater to an installer. The installer on-sells (and installs) the heater to a customer to equip his/her house. The house catches fire shortly thereafter. Every participant (heating equipment manufacturer, installer, end-customer) is insured. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies.

Case B – Transnational situation: A heating equipment manufacturer in a Member State B delivers heater to an installer in a Member State C. The installer on-sells the heater (and installs) the heater to a customer in Member State A to equip his/her house. The house catches fire shortly thereafter. Each participant (heating equipment manufacturer, installer, end-customer) is insured by an insurance company in its own Member State. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue in Member State A for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies in Member State A.

Costs in Lithuania

Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court			Appeals		
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees
Case A	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents;	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents;

	exceed 100,000 Litas or €29,000)	4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses	exceed 100,000 Litas or €29,000)	4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses
--	----------------------------------	---	----------------------------------	---

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
Case B		

Case Study	Bailiff			Expert	
	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) 600 Litas if size of debt is from 50, 000 Lt (~€15,000) to 100,000 Lt (~€29,000) and 6%, but not less than 4000 Lt, of the executed debt amount as bailiff's salary, and other enforcement costs, depending on the kind and quantity of execution actions. 2) Bailiff's salary depends on size of debt.	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	No	No	Same as in a Case A		

Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party The amount depends on the nature of the procedural action and may not exceed 100,000 Litas

Case Study	Other fees	
	Description	Cost
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B		

Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under which conditions is it applicable?	When is support total?	Conditions?
Case A	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid
Case B	Same as in a Case A	Same as in a Case A	Same as in a Case A

Case study	Reimbursement		
	Can the winning party obtain reimbursement of litigation costs?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organization?
Case A	The winning party can obtain reimbursement of litigation costs from the losing party.	The costs of state-guaranteed legal aid do shall not cover the costs that the court awards to the losing party nor the costs incurred by in the execution process.	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they shall be recovered in accordance with legal procedure. Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the costs of the secondary legal provided to the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure Where 50 per cent of the costs of secondary legal aid are covered, and an applicant fails to fulfil the duty to pay 50 percent of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided to the state budget within the time limits laid down by the service. Where the costs of secondary legal aid must be recovered, the state must be represented by the service.
Case B	Same as in a Case A		Same as in a Case A

Costs for translation and interpretation

Case	Translation	Interpretation
------	-------------	----------------

study				
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People who do not speak the official language, are guaranteed the right to interpretation /translation services during the proceedings.	The court must pay the amounts due to interpreters/translators from the state budget funds.
Case B	As per national situation	As per national situation	As per national situation	As per national situation

Last update: 08/11/2019

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.