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## Costs

Hungary

This page offers you information about the costs of justice in Hungary.

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### Regulatory framework governing the fees of legal professions

#### 1. Bailiffs

The amount of the bailiff's fee depends on the purpose of the enforcement order issued (whether it is to collect a debt or enforce a specific action). If the enforcement involves the collection of a debt, the bailiff's fee is proportional to the amount of the debt to be collected. Thus the larger the claim involved in the enforcement, the higher the fee paid to the bailiff. If the duty involves the enforcement of a specific action, the fee depends on how long this takes.

#### 2. Attorneys

The Hungarian word for a person practising law, 'ügyvéd', covers attorneys, advocates, solicitors, lawyers and barristers. As a general rule, an attorney's fee is set by agreement between the client and the attorney. If no fee is agreed between the client and the attorney for undertaking the case or if the client so requests, the amount of the fee for representation is decided by the court in accordance with the law. If the case is won, the fee due to the attorney under the agreement between the client and the attorney cannot necessarily be claimed in full against the losing party. The court hearing the case may reduce the remuneration of the legal representative within a claim for legal costs which it considers excessive. In this case, the court determines the attorney's fee on the basis of the statutory provisions. The amount of the attorney's fee set by the court is adjusted to the value of the claim. The parties may ask the court to apply the statutory fee if they do not want the agreement to become public.

#### Statutory costs

##### Statutory costs (fees) in civil proceedings

##### Statutory costs of litigants in civil proceedings

Unless the law provides otherwise, the basis for any fee (illeték) in civil proceedings is the value of the claim at the time the proceedings are brought and, in appeal proceedings, the value of the claim or part of the claim in dispute.

If the value of the claim cannot be established, the basis for calculating the fee in proceedings before a district court (járásbíróság) is HUF 350 000 in contentious proceedings and HUF 200 000 in non-contentious proceedings. In first-instance proceedings before a regional court (törvényszék), the basis is HUF 600 000 in contentious proceedings and HUF 350 000 in non-contentious proceedings. In appeal proceedings, the basis is HUF 300 000 in contentious proceedings and HUF 170 000 in non-contentious proceedings. In appeal proceedings before the court of appeal (ítélőtábla), the basis is HUF 600 000 in contentious proceedings and HUF 300 000 in non-contentious proceedings. Before the Curia of Hungary (Kúria), the basis is HUF 500 000 in appeal proceedings and HUF 700 000 in review proceedings.

In first-instance proceedings, the amount of the fee in contentious proceedings is 6% of the basis for the fee defined above, but at least HUF 15 000 and no more than HUF 1 500 000. In non-contentious first-instance proceedings, the amount of the fee is 3% of the basis for the fee, but at least HUF 5 000 and no more than HUF 250 000. In certain non-contentious proceedings specified by law, the amount of the fee is different, e.g. in the case of opposition to a court injunction it is 3%, but at least HUF 5 000 and no more than HUF 750 000.

In addition to the above, the law provides for fees in specific cases:

**Divorce proceedings (házassági bontóper):** HUF 30 000;

**Labour court proceedings (munkaügyi per) (if the value of the claim cannot be established):** HUF 10 000;

**Proceedings for judicial review of an administrative decision** (közigazgatási határozat bírósági felülvizsgálata iránti eljárás), with the exception of proceedings related to competition law and taxation, public procurement, and electronic communications: HUF 30 000;

**Non-contentious administrative proceedings (közigazgatási nemperes eljárás):** HUF 10 000;

**General authorisation (általános meghatalmazás):** HUF 18 000;

**Insolvency proceedings (fizetésképtelenségi eljárás):** liquidation (felszámolás): HUF 80 000; bankruptcy proceedings (csődeljárás): HUF 50 000;

For **entities** without legal personality: liquidation (felszámolás): HUF 30 000; bankruptcy proceedings (csődeljárás): HUF 30 000;

**Proceedings for annulment of an arbitration award (választottbírói ítélet) or settlement (választottbírói egyezség):** the fee is determined based on the value of the proceedings indicated in the arbitration decision or based on a notional value;

**Appeal:** 8%, but at least HUF 15 000 and no more than HUF 2 500 000;

**Retrial (perújítás):** the fees must be paid again;

**Motion for review (felülvizsgálati kérelem):** 10% for judgments, but at least HUF 50 000 and no more than HUF 3 500 000; half of the fee applicable to judgments in the case of orders, but at least HUF 20 000 and no more than HUF 1 250 000.

For submitting an application for the issuing of an order for payment (fizetési meghagyás) to the Hungarian Chamber of Civil Notaries (Magyar Országos Közjegyzői Kamara), the statutory fee must be paid to cover the operating costs of the Chamber's system, and the fees and expenses of notaries ('the procedural fee'). The procedural fee is based on the value of the monetary claim at the time the procedure is brought, calculated exclusive of ancillary costs ('the fee basis'); the interest due on and enforced together with a monetary claim is not to be included in the fee basis even if, at the same time as the initial claim for interest, the claimant also enforces an additional claim for interest on the interest claimed. Interest and other ancillary costs enforced separately are included in the fee basis.

Amount of the procedural fee based on the fee basis: a) 3%, but at least HUF 5 000 and no more than HUF 300 000, in the main procedure, unless otherwise stated below; b) 1%, but at least HUF 5 000 and no more than HUF 15 000, in a procedure initiated for deferment of payment or payment by instalments; c) 1%, but at least HUF 5 000 and no more than HUF 15 000, in a procedure initiated for deferment of payment or payment by instalments of a fine imposed.

#### **Stage of civil proceedings where statutory costs must be paid**

In civil proceedings, the obligation to pay **court fees** arises when the action is brought. The procedural fees must therefore be paid at the time of bringing the action. If the party does not pay the court fees, or pays less than is required by law, the court must ask the party to pay the remaining court fees when the application is lodged. The court must also inform the party that the application will be rejected if the court fees are not paid in full.

The attorney's fee is paid based on the agreement between the client and the attorney. Part of the bailiff's fee must be paid in advance at the beginning of the enforcement proceedings.

#### **Statutory costs (fees) in criminal proceedings**

##### **Statutory costs of the parties in criminal proceedings**

In the case of proceedings based solely on private prosecution (magánvádas eljárás):

Fee for bringing a complaint: HUF 10 000.

Fee for lodging an appeal: HUF 10 000.

Fee for a motion for review or retrial: HUF 15 000.

If a civil claim is brought within criminal proceedings, the only fees payable are for filing the application and the appeal. These fees are to be paid in addition to those for criminal proceedings, in accordance with the rules on fees applicable to civil proceedings.

#### **Stage of criminal proceedings where statutory costs must be paid**

These must be paid on the initiating document at the start of the proceedings.

#### **Statutory costs in constitutional proceedings**

Under Section 54(1) of Act CLI of 2011 on the Constitutional Court (Alkotmánybíróságról szóló 2011. évi CLI. törvény), proceedings before the Constitutional Court (Alkotmánybíróság) are free of charge, and any costs incurred in the course of such proceedings are borne by the petitioner.

However, an applicant who does not act in good faith when submitting a petition may have to pay costs and/or may be subject to a procedural fine of between HUF 20 000 and HUF 500 000.

#### **Prior information to be provided by legal representatives**

##### **Rights and obligations of the parties**

When practising their profession, attorneys help their clients to assert their rights and fulfil their obligations by the means and in the manner provided for by law. Legal advisers (jogtanácsos) also help assert the rights of the organisations they represent.

This obligation includes providing the necessary information about rights and obligations, the chances of success and the foreseeable costs of proceedings.

#### **Cost sources**

##### **Where can I find information on cost sources in Hungary?**

Information on cost sources is available on the website of the European Judicial Network:

[EJN Civil Justice – Legal aid](#)

[EJN Civil Justice – Bringing a case to court](#)

The website of the [Budapest Bar Association](#) (Budapesti Ügyvédi Kamara) also provides information on attorneys' fees.

##### **In what languages can I obtain information on cost sources in Hungary?**

Information on cost sources is available on the website of the **European Judicial Network**. Here you can find the relevant information in every official language of the European Union.

The website of the Budapest Bar Association provides information on costs in Hungarian only.

##### **Where can I find information on mediation?**

Information on mediation may be found on the following websites:

[EJN Civil Justice – mediation](#)

[Hungarian Register of Mediators \(Közvetítők magyarországi adatbázisa\)](#)

[Office for Public Administration and Justice \(Közigazgatási és Igazságügyi Hivatal\)](#)

##### **Where can I find additional information on costs?**

##### **Website with information on costs**

You can find additional information on costs on the website of the [Budapest Bar Association](#).

##### **Where can I find information on the average length of time that different proceedings take?**

Information on the length of proceedings can be found on the website of the [Courts of Hungary](#).

Other links:

Information on statistical tables is available in Hungarian only.

#### **Value Added Tax**

##### **How is this information provided?**

The costs indicated above for attorneys are net costs to which VAT must be added.

##### **What are the applicable rates?**

The general VAT rate in Hungary was 20% of the tax base until 1 July 2009, when it was increased to 25% and then to 27%.

#### **Legal aid**

##### **Applicable income threshold in civil proceedings**

There are two minimum thresholds:

To facilitate the enforcement of their rights, natural person litigants (including intervenors) whose income and financial standing do not allow them to bear the cost of the proceedings will, upon request, be fully or partially exempted from the payment of these costs. Legal aid covers the following benefits: exemption from fees; exemption from advance payment and, unless otherwise provided for by law, payment of costs incurred in the course of the proceedings (witness and expert fees, fees of the guardian *ad litem* (ügygondnok) and the interpreter, fee of the legal aid lawyer (pártfogó ügyvéd), and costs of on-site hearings and visits, etc.); exemption from providing security for legal costs; an application for authorisation to be represented by a legal aid lawyer if permitted by law. If the party's income (salary, pension, other regular cash benefits) does not exceed the minimum amount of the retirement pension (HUF 28 500) established on the basis of employment and the person has no assets other than the usual necessities of life and furnishings, that person must be granted legal aid.

Legal aid must also be granted, without an examination of the person's income and financial standing, to a party who is entitled to working-age benefits or

lives in the same household as a close relative within the meaning of the Social Administration and Social Benefits Act (szociális igazgatásról és szociális ellátásokról szóló törvény) who is entitled to working-age benefits. Exceptionally, legal aid may be granted even if the above conditions are not met but the court finds, taking into account other circumstances of the party, that the party's subsistence is at risk. (Section 6(1) of Decree No 6/1986 of 26 June 1986 of the Interior Minister on the application of legal aid in court proceedings (A bírósági eljárásban a költségmentesség alkalmazásáról szóló 6/1986. (VI. 26.) IM rendelet))

In the context of out-of-court legal assistance by the State, the legal aid assistant (jogi segítő) provides the party with legal advice or prepares submissions or other documents and, on the basis of an authorisation to this end, has access to the documents of the case. The statutory fees and costs for this are paid or advanced by the State to the legal aid assistant on behalf of the party. In the course of legal proceedings, in terms of legal assistance, the State provides a legal aid lawyer to represent the plaintiff, the defendant, the intervenor (joined party), the applicant and the respondent, and advances or pays the costs of this on behalf of the party in the civil contentious and non-contentious proceedings (collectively 'proceedings') provided for by law. The fee for the legal service is advanced by the State on behalf of the party if the party's net disposable monthly income does not exceed 43% of the average gross monthly earnings of the national economy, as published by the Hungarian Central Statistical Office (Központi Statisztikai Hivatal) in the second year preceding the reference year (about HUF 231 000 in 2013), i.e. HUF 99 330, and the party has no assets. (Sections 11 and 6 of Act LXXX of 2003 on legal aid (A jogi segítségnyújtásról szóló 2003. évi LXXX. törvény))

Legal assistance payments can be made in advance.

#### **Applicable income threshold in criminal proceedings for defendants**

In criminal proceedings, a suspect or accused person may receive **free legal representation** on the basis of the income thresholds applied in civil proceedings.

#### **Applicable income threshold in criminal proceedings for victims**

If the applicant for aid has been found in separate proceedings to be a victim of crime and is entitled to receive victim support services, the fee for the legal service is borne by the State on behalf of the party provided the person's net disposable monthly income does not exceed 86% of the average gross monthly earnings of the national economy, as published by the Hungarian Central Statistical Office, in the second year preceding the reference year (about HUF 231 000 in 2013), i.e. HUF 198 660. (Section 9/A of Act LXXX of 2003 on legal aid)

Legal assistance for victims includes legal representation.

#### **Other conditions for granting legal aid to victims**

Besides the set income thresholds, the victim must fulfil two other conditions:

the victim must make a report/complaint;

the victim must obtain a certificate from the authority responsible for assisting victims. The certificate must state that certain conditions have been met (that the victim contacted the relevant authority within the time limit prescribed by law).

#### **Other conditions for granting legal aid to defendants**

There are no other conditions for granting legal aid to defendants.

#### **Cost-free court proceedings**

##### **No fees or reduced fees are charged in the following civil cases:**

the fee is 10% of the fee for the legal proceedings if the court rejects the document initiating proceedings *ex officio* without issuing a summons;

appeals against a decision on legal aid or on the deferred payment of costs (illetékfeljegyzési jog), i.e. where the State advances the costs on behalf of the party;

counterclaims concerning the marriage in divorce proceedings;

proceedings related to the declaration of death and the establishment of the fact of death if the disappearance or death occurred as a result of an act of warfare or a natural disaster;

proceedings for the registration of foundations, public foundations, civil society organisations, public bodies, a European Grouping of Territorial Cooperation and Employee Share Ownership Plan organisations, as well as proceedings for approving participation in a European Grouping of Territorial Cooperation; applications to strike off a dissolved company, including strike-off applications in a simplified winding-up procedure (egyszerűsített végelszámolás) together with the notification of the administrator;

applications to correct or supplement a decision;

electoral roll proceedings;

proceedings to notify changes following entry in the register of legal advisers;

appeals against an order of transfer to another court;

judicial review of the administrative decision in compensation cases;

municipal debt settlement proceedings;

proceedings brought by an independent bailiff in connection with judicial enforcement proceedings conducted by the bailiff and proceedings for a declaration of domestic enforceability under Regulation (EU) No 1215/2012, Council Regulation (EC) No 2201/2003 and Council Regulation (EC) No 4/2009;

proceedings brought on the basis of a successful constitutional complaint;

actions concerning the protection of personal data or the disclosure of data of public interest;

judicial review of administrative decisions on granting legal aid;

non-contentious proceedings for the judicial review of an interim restraining order and for issuing a restraining order for violence between relatives specified in a separate law;

judicial review of administrative decisions on victim support.

##### **No fees are charged in the following criminal cases:**

appeals, requests for retrial and requests for review by the accused person and the defence counsel in proceedings based solely on private prosecution;

proceedings based solely on private prosecution if the proceedings are terminated by the court before the start of the personal hearing or if the proceedings are terminated as a result of clemency;

pleas for clemency and requests for judicial exoneration if submitted by the convicted person or the defence counsel;

proceedings for granting personal legal aid;

providing copies of documents to the accused person, the defence counsel and the legal representative of accused minors on one occasion.

Fee exemption may be granted due to personal circumstances (személyes illetékmentesség) as well as the subject matter of the proceedings (tárgyi illetékmentesség).

Personal exemption is granted, *inter alia*, to associations, public bodies, churches, associations of churches, ecclesiastical institutions, foundations, public foundations, non-profit companies with public benefit or priority public benefit status, the North Atlantic Treaty Organization, and the European Communities and their institutions, bodies, agencies and separate funds.

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

The losing party must pay the winning party's costs if required to do so within a period of 30 days by the court in its final decision. The losing party must pay the costs directly to the winning party. If the costs are not paid, enforcement proceedings may be brought against the losing party.

### Experts' fees

Experts' fees are usually paid by the losing party, but these are borne by the State in specific cases where it has a duty to pay costs. When costs are advanced by the State, these include experts' fees. Experts may charge as costs the necessary and justified expenses incurred in the preparation of their opinion. Forensic experts, forensic services and special advisers are granted a flat-rate amount to cover costs that are not supported by an invoice but are necessarily incurred, such as post, telephone and office supplies. The flat-rate amount is 35% of the expert's fee, but no more than HUF 100 000.

The expert may request an advance of up to 50% of the expected costs, but no more than HUF 150 000.

### Translators' and interpreters' fees

Translators' and interpreters' fees are usually paid by the losing party, but these are borne by the State in specific cases where it has a duty to pay costs.

When costs are advanced by the State, these include such fees.

### Related links

[Website of the Budapest Bar Association](#)

### Related documents

[Hungary Report of the Study on the Transparency of Costs](#)  (533 Kb) 

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### Case study 1 - family law - divorce - Hungary

In this case study on family law concerning divorce, Member States were asked to advise the party that filed for divorce on litigation costs under the following circumstances:

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

Case B – Transnational matter: Two nationals from the same Member State (Member State A) get married. The marriage is registered in Member State A. After the wedding, the couple relocates 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 Hungary

#### Costs of alternative dispute resolution (ADR)

| Case study | Alternative dispute resolution (ADR)  |   |
|------------|---|---|
|            | Is such an option available for this type of case?  | Costs   |
| Case A     | Yes, but only as regards agreement on issues concerning the dissolution of marriage, such as the custody and financial support of children, contact between parent and child, conjugal maintenance, the use of jointly owned real estate and the distribution of jointly owned property. The court, however, still needs to approve the agreement reached by the parties. | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |
| Case B     | Yes, but only as regards agreement on issues concerning the dissolution of marriage. The court, however, still needs to approve the agreement reached by the parties.   | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |

#### Attorney, bailiff and expert fees

| Case study | Attorney                            |   | Bailiff                             |   | Expert   |  |
|------------|-------------------------------------|---|-------------------------------------|---|--|--|
|            | Is legal representation compulsory? | Average costs                             | Is legal representation compulsory? | Must it be made use of?   | Costs  |  |
| Case A     | No                                  | As agreed by the client and the attorney. | No                                  | No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.   | The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |  |
| Case B     | No                                  | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |  |

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**Costs for witness compensation, deposits, securities and other relevant fees**

|                   |   |  |  |   |  |  |
|-------------------|---|--|--|---|--|--|
| <b>Case study</b> | <b>Witness compensation</b>                     |  |  |   |  |  |
|                   | <b>Are witnesses eligible for compensation?</b> |  |  | <b>Costs</b>  |  |  |
| <b>Case A</b>     | Yes   |  |  | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |  |  |
| <b>Case B</b>     | Yes   |  |  | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |  |  |

**Costs for legal aid and the reimbursement of expenses**

|                   |   |   |   |   |   |   |
|-------------------|---|---|---|---|---|---|
| <b>Case study</b> | <b>Legal aid</b>  |   |   | <b>Reimbursement of expenses</b>  |   |   |
|                   | <b>When and under what conditions is it applicable?</b>   | <b>When is full legal aid available?</b>  | <b>Can the successful party obtain reimbursement of litigation costs?</b>   | <b>If reimbursement is not comprehensive, what is the usual percentage of costs covered?</b>  | <b>What costs may not be reimbursed?</b>  | <b>Are there instances when legal aid must be reimbursed?</b>   |
| <b>Case A</b>     | See section on legal aid.   | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension.   | Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |
| <b>Case B</b>     | See the section on legal aid. The decision on granting legal aid may take into account the cost of living in each party's country of residence. | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are | Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |

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|  |  | eligible to receive legal aid under the same conditions as Hungarian citizens. |  |  |  |  |
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#### Costs for translation and interpretation

| Case study | Translation  |   | Interpretation                                     |   |
|------------|--|---|--|---|
|            | When and under what conditions is it required?     | Approximate cost  | When and under what conditions is it required?     | Approximate cost  |
| Case A     | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |
|            | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |

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#### Case study 2 - family law - custody of the children - Hungary

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 Hungary

##### Costs of alternative dispute resolution (ADR)

| Case study | Alternative dispute resolution (ADR)  |  |
|------------|---|--|
|            | Is such an option available for this type of case?  | Costs                                      |
| Case A     | Yes. If the parents cannot agree on how and when the right of access may be exercised, they may request mediation on child-welfare grounds. Mediation may also be requested during an enforcement procedure. Within two years of a court decision on the right of access becoming final, petitions for altering the decision may be lodged only with the same court, which retains the authority to decide. | As agreed by the parties and the mediator. |

|               |  |  |
|---------------|--|--|
| <b>Case B</b> | Yes. If the parents cannot agree on how and when the right of access may be exercised, they may request mediation on child-welfare grounds. Mediation may also be requested during an enforcement procedure. If more than two years have passed since the conclusion of the divorce or the lawsuit for custody of the child, the guardianship office may approve the parents' agreement or, at their request, decide on the right of access. | As agreed by the parties and the mediator. |
|---------------|--|--|

#### Attorney, bailiff and expert fees

| Case study    | Attorney                            |   | Bailiff                             | Expert  |  |
|---------------|-------------------------------------|---|-------------------------------------|---|--|
|               | Is legal representation compulsory? | Average costs                             | Is legal representation compulsory? | Must it be made use of?   | Costs  |
| <b>Case A</b> | No                                  | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |
| <b>Case B</b> | No                                  | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |

#### Witness compensation

| Case study    | Witness compensation                     |   |
|---------------|--|---|
|               | Are witnesses eligible for compensation? | Costs   |
| <b>Case A</b> | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |
| <b>Case B</b> | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |

#### Costs for legal aid and the reimbursement of expenses

| Case study    | Legal aid   |  |   | Reimbursement of expenses   |   |  |
|---------------|---|--|---|---|---|--|
|               | When and under what conditions is it applicable?  | When is full legal aid available?  | Can the successful party obtain reimbursement of litigation costs?  | If reimbursement is not comprehensive, what is the usual percentage of costs covered?   | What costs may not be reimbursed?   | Are there instances when legal aid must be reimbursed?   |
| <b>Case A</b> | See the section on legal aid. Irrespective of their income or financial situation, the parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on custody and transfer of a child or on the right of access, among others. | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income | Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. |

|               |   |  |   |   |  |   |
|---------------|---|--|---|---|--|---|
|               |   | threshold equal to the minimum retirement pension.   |   |   | amount claimed by them.  | The losing party must pay the administrator's fee, even if it is eligible for legal aid.  |
| <b>Case B</b> | See the section on legal aid. Irrespective of their income or financial situation, the parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on custody and transfer of a child or on the right of access, among others. The decision on granting legal aid may take into account the cost of living in each party's country of residence. | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens. | Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be required to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |

#### Costs for translation and interpretation

| Case study    | Translation  |  | Interpretation                                     |  |
|---------------|--|--|--|--|
|               | When and under what conditions is it required?     | Approximate cost   | When and under what conditions is it required?     | Approximate cost   |
| <b>Case A</b> | If a party does not speak or understand Hungarian. | The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |
| <b>Case B</b> | If a party does not speak or understand Hungarian. | The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |



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### Case study 3 - family law - alimony - Hungary

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 Hungary

##### Costs of alternative dispute resolution (ADR)

| Case study | Alternative dispute resolution (ADR)  |   |
|------------|---|---|
|            | Is such an option available for this type of case?  | Costs   |
| Case A     | Yes, but the claim for alimony is enforceable only if it is formalised in an executory document (a court or public notary may add an enforcement clause to a document).     | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |
| Case B     | Yes, but the claim for maintenance is enforceable only if it is formalised in an executory document (a court or public notary may add an enforcement clause to a document). | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |

##### Attorney, bailiff and expert fees

| Case study | Attorney                            |   | Bailiff                             | Expert  |   |
|------------|-------------------------------------|---|-------------------------------------|---|---|
|            | Is legal representation compulsory? | Average costs                             | Is legal representation compulsory? | Must it be made use of?   | Costs   |
| Case A     | No                                  | As agreed by the client and the attorney. | No                                  | No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert determines his/her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |
| Case B     | No                                  | As agreed by the client and the attorney. | No                                  | No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert determines his/her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |

##### Witness compensation

| Case study | Witness compensation                     |   |
|------------|--|---|
|            | Are witnesses eligible for compensation? | Costs   |
| Case A     | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |
| Case B     | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |

##### Costs for legal aid and the reimbursement of expenses

| Case study | Legal aid | Reimbursement of expenses |
|------------|-----------|---------------------------|
|            |           |                           |

|               | When and under what conditions is it applicable?   | When is full legal aid available?  | Can the successful party obtain reimbursement of litigation costs?   | If reimbursement is not comprehensive, what is the usual percentage of costs covered?   | What costs may not be reimbursed?  | Are there instances when legal aid must be reimbursed?  |
|---------------|--|--|--|---|--|---|
| <b>Case A</b> | See the section on legal aid.<br>Irrespective of their income or financial situation, parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on statutory maintenance, including lawsuits for collecting alimony from entities disbursing the obliged party's allowances or from other third parties, cancelling maintenance or changing the amount paid, abating or restricting the executory collection of alimony, and proceedings for obtaining the personal details of the obliged party in transnational maintenance disputes. | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension.  | Yes, the losing party shall be obliged to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees if it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |
| <b>Case B</b> | See the section on legal aid.<br>Irrespective of their income or financial situation, parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on statutory alimony. The decision on granting legal aid may take into account the cost of living in each party's country of residence.   | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens. | Yes, the losing party shall be obliged to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees if it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |

#### Costs for translation and interpretation

| Case study | Translation  |   | Interpretation                                     |  |
|------------|--|---|--|--|
|            | When and under what conditions is it required?     | Approximate cost  | When and under what conditions is it required?     | Approximate cost   |
|            | If a party does not speak or understand Hungarian. | The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and | If a party does not speak or understand Hungarian. | The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |

|               |  |  |  |  |
|---------------|--|--|--|--|
| <b>Case A</b> |  | submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.   |  |  |
| <b>Case B</b> | If a party does not speak or understand Hungarian. | The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |

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#### Case study 4 - commercial law - contract - Hungary

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 Hungary

##### Costs of alternative dispute resolution (ADR)

| Case study    | Alternative dispute resolution (ADR)               |   |
|---------------|--|---|
|               | Is such an option available for this type of case? | Costs   |
| <b>Case A</b> | Yes  | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |
| <b>Case B</b> | Yes  | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |

##### Attorney, bailiff and expert fees

| Case study    | Attorney  |   | Bailiff                             | Expert  |   |
|---------------|---|---|-------------------------------------|---|---|
|               | Is legal representation compulsory?                                     | Average costs                             | Is legal representation compulsory? | Must it be made use of?   | Costs   |
| <b>Case A</b> | No  | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |
| <b>Case B</b> | Yes. The general courts have jurisdiction to rule on claims relating to | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence,  | The expert determines his /her fee. If the court orders the taking of evidence <i>ex</i>  |

|   |  |  |  |  |
|---|--|--|--|--|
| international agreements on the carriage and forwarding of goods (Section 23(1)(d) of Act III of 1952 on civil procedure), and legal representation is mandatory at all stages of lawsuits under the first instance jurisdiction of general courts, as well as during appeals, unless the case falls under an exclusion clause (Section 73/A(1)(b) of Act III of 1952). |  |  | except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | <i>officio</i> , the fee is established pursuant to the relevant legislation in force. |
|---|--|--|--|--|

#### Witness compensation

| Case study | Witness compensation                     |  |   |  |
|------------|--|--|---|--|
|            | Are witnesses eligible for compensation? |  | Costs   |  |
| Case A     | Yes                                      |  | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |  |
| Case B     | Yes                                      |  | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |  |

#### Costs for legal aid

| Case study | Legal aid   |  |  |  |
|------------|---|--|--|--|
|            | When and under what conditions is it applicable?  |  |  |  |
| Case A     | Economic operators are not entitled to legal aid. |  |  |  |
| Case B     | Economic operators are not entitled to legal aid. |  |  |  |

#### Costs for translation and interpretation

| Case study | Translation  |   | Interpretation                                     |  |
|------------|--|---|--|--|
|            | When and under what conditions is it required?     | Approximate cost  | When and under what conditions is it required?     | Approximate cost   |
| Case A     | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |
| Case B     | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These   | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law. |

|  |   |  |
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|  | costs are subsequently governed by the provisions on the recovery of legal costs. |  |
|--|---|--|

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#### Case study 5 - commercial law - responsibility - Hungary

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 Hungary

##### Costs of alternative dispute resolution (ADR)

| Case study | Alternative dispute resolution (ADR)               |   |
|------------|--|---|
|            | Is such an option available for this type of case? | Costs   |
| Case A     | Yes  | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |
| Case B     | Yes  | As agreed by the parties and the mediator.<br>Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge. |

#### Attorney, bailiff and expert fees

| Case study | Attorney                            |   | Bailiff                             | Expert  |   |
|------------|-------------------------------------|---|-------------------------------------|---|---|
|            | Is legal representation compulsory? | Average costs                             | Is legal representation compulsory? | Must it be made use of?   | Costs   |
| Case A     | No                                  | As agreed by the client and the attorney. | No                                  | No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts. | The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |
| Case B     | No                                  | As agreed by the client and the attorney. | No                                  | No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.   | The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force. |

#### Witness compensation

| Case study | Witness compensation                     |   |
|------------|--|---|
|            | Are witnesses eligible for compensation? | Costs   |
| Case A     | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |
| Case B     | Yes                                      | Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work. |

# Costs for legal aid and the reimbursement of expenses

| Case study    | Legal aid  |  |   | Reimbursement of expenses   |   |   |
|---------------|--|--|---|---|---|---|
|               | When and under what conditions is it applicable? | When is full legal aid available?  | Can the successful party obtain reimbursement of litigation costs?  | If reimbursement is not comprehensive, what is the usual percentage of costs covered?   | What costs may not be reimbursed?   | Are there instances when legal aid must be reimbursed?  |
| <b>Case A</b> | See the section on legal aid.                    | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. For more information, see the section on legal aid.   | Yes. The losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |
| <b>Case B</b> | See the section on legal aid.                    | In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. For more information, see the section on legal aid. Foreign nationals bringing legal action may only benefit from legal aid pursuant to international agreements concluded by the Hungarian State or as a matter of reciprocity. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens. | Yes. The losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision. | In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs. | In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them. | Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid. |

# Costs for translation and interpretation

| Case study    | Translation  |  | Interpretation                                     |   |
|---------------|--|--|--|---|
|               | When and under what conditions is it required?     | Approximate cost   | When and under what conditions is it required?     | Approximate cost  |
| <b>Case A</b> | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. |

|               |  |   |  |   |
|---------------|--|---|--|---|
|               |  | entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.  |  |   |
| <b>Case B</b> | If a party does not speak or understand Hungarian. | The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs. | If a party does not speak or understand Hungarian. | The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. |

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