

Home>Taking legal action>Where and how>Costs

## Costs

### Lithuania

This page provides you with information about the costs of justice in Lithuania. For a more in-depth analysis on the costs of proceedings, please consult the following case studies: Family law - Divorce Family law – custody of the children Family law – alimony Commercial law – contract Commercial law – responsibility

#### Regulation of legal fees

##### 1. Solicitors

There is no such profession in Lithuania.

##### 2. Lawyers

Lawyers' fees are not regulated in Lithuania. They vary according to the level of complexity of the case and of the resources involved. However, fees may not be superior to the maximum amount established by recommendations approved by the **Minister for Justice** and the **Chairman of the Council of the Lithuanian Bar Association (Lietuvos advokatų tarybos pirmininkas)**.

##### 3. Barristers

There is no such profession in Lithuania.

##### 4. Bailiffs

Bailiffs play a role only if the debtor does not comply with the judgment and legally enforceable documents have to be produced. The fees, their payment and exemption from enforcement costs are regulated by the **Instructions for executing judgements**. All enforcement costs must be paid by the judgment creditor. The bailiff's fees are to be recovered from the debtor during or after the execution of the judgment.

The amount of the fees depends on the type of enforcement required and the number of times it is provided. Some enforcement costs are fixed: some cost LTL 60 per hour and some are determined based on a percentage of the value of the assets subject to enforcement.

#### Fixed costs

##### Fixed costs in civil proceedings

###### Fixed costs for litigants in civil proceedings

In **civil proceedings**, litigation costs comprise stamp duty and other costs: legal representation, delivery of court documents, experts' or witnesses' fees, execution, etc. Stamp duty is, where applicable, defined in the Code of Civil Procedure and is fixed. Litigation costs are defined in section VIII of the **Code of Civil Procedure (Civilinio proceso kodeksas)**.

###### Stage of the civil proceeding where fixed costs for litigants must be paid

Stamp duty is normally paid before presenting a claim to the court.

##### Fixed costs in criminal proceedings

###### Fixed costs for litigants in criminal proceedings

There are no fixed costs for litigants in criminal proceedings.

##### Fixed costs in constitutional proceedings

###### Fixed costs for litigants in constitutional proceedings

Constitutional proceedings are free of charge, but are not available to the general public.

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

There is no such direct obligation under law.

##### Costs borne by the winning party

Costs in civil proceedings are defined in Section VIII of the Code of Civil Procedure.

#### Cost sources

##### Where can I find information on cost sources in Lithuania?

More information is available in the attached [Lithuania's report of the Study on Transparency of costs](#)  (950 Kb) 

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

Information is available in English.

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

More information is available on the website: [Court mediation procedure](#).

#### Legal aid

##### Conditions for the granting of legal aid

According to Lithuanian legislation, there are two kinds of state-guaranteed legal aid:

**'Primary legal aid'** (pirminė teisinė pagalba) covers the provision of legal aid in line with the procedure laid down by the Law governing state-guaranteed legal aid, legal advice and the drafting of documents to be submitted to state and municipal institutions, with the exception of procedural documents. Legal aid also covers advice for the out-of-court settlement of a dispute, actions for the amicable settlement of disputes and drafting settlement agreements.

**'Secondary legal aid'** (antrinė teisinė pagalba) covers the drafting of documents, defence and legal representation in court. This includes the process of execution and representation during the preliminary extra-judicial stage of a dispute – where such a procedure is required by law or court decision. Such legal aid also covers litigation costs incurred in civil proceedings, the costs incurred in administrative proceedings, and costs related to hearing a civil action raised in a criminal case.

All citizens of the Republic of Lithuania, citizens of other member states of the European Union, other natural persons residing lawfully in Lithuania or member states, and other persons specified in international treaties to which Lithuania is signatory are eligible for **primary legal aid irrespective of their income**.

All citizens of the Republic of Lithuania, citizens of other member states of the European Union and other natural persons residing lawfully in the Republic of Lithuania and other member states may apply for secondary legal aid. To receive secondary legal aid, a person's property and annual income should not exceed the **property and income levels set by the government** in the Law governing state-guaranteed legal aid.

**Thus a common threshold system is used when assessing indigence (a maximum amount below which an applicant is considered indigent).**

#### **Right to legal aid**

The government has established **two property and income levels** that apply. The applicant's property and income should not exceed the first or second level defined by law. Moreover, the applicant's annual net income (over the last twelve months) should not exceed the first or second income levels defined in Lithuanian law.

Indigence is not the only criterion used to determine a person's ability to receive secondary legal aid.

**First level legal aid** entitlement is established when a person's income per year does not exceed LTL 8 000 (€2 318.8) plus LTL 3 000 (€869.6) for each dependant. **Second level legal aid** entitlement is established when a person's income per year does not exceed LTL 12 000 (€3 478.2) plus LTL 4 400 (€1 275.3) for each dependant. The obligations of the applicant towards his or her dependants are not taken into account for the purpose of assessing indigence.

The extent of secondary legal aid, taking account of a person's property and income, shall be guaranteed and covered by the state as follows:

100 per cent – where the first level is established based on the person's property and income

50 per cent – where the second level is established based on the person's property and income.

The state must guarantee and cover 100 percent of the costs of the secondary legal aid provided to people specified in Article 12 of this Law (see below).

This is paid regardless of the person's property and income. The exception is individuals (referred to in subparagraph 6 of Article 12 of the Law) who can freely dispose of property and income. Such individuals are assigned to the second level. Here, the state will guarantee and cover 50 per cent of the costs of secondary legal aid.

Some groups of persons are eligible for secondary legal aid regardless of the **property and income levels** established by the government (under Article 12 of the Law on state-guaranteed legal aid):

persons in criminal proceedings (according to Article 51 of the Code of criminal procedure), and in other cases specified by law when the physical presence of a defence lawyer is mandatory;

the aggrieved parties in cases involving compensation for damage incurred through criminal actions, including cases where claims for compensation for damage are heard as part of a criminal matter;

persons receiving social assistance for low-income families (single residents) under Lithuanian law;

persons living in care institutions;

people who have reached pensionable age, and those for whom a level of considerable special needs has been established. This includes guardians (custodians) where state-guaranteed legal aid is required for the representation and defence of the rights and interests of a ward (foster-child);

persons who have presented proof showing that they cannot dispose of their property and funds for objective reasons and that, for these reasons, the property and annual income they can freely dispose of does not exceed the property and income levels set by the Lithuanian Government for receiving legal aid in accordance with the law governing legal aid;

persons suffering from serious mental disorders, where issues relating to their forced hospitalisation and treatment are being examined under the Lithuanian Law on mental health care, and custodians (carers) of the above where state-guaranteed legal aid is required for the representation of the rights and interests of the ward (person subject to care);

debtors in enforcement proceedings, where recovery is levied against the last place of residence;

parents or other legal representatives of minor children, where the issue of their eviction is being examined;

minor children, where they are applying independently to a court, in the cases specified by law, for the defence of their rights or legally protected interests, with the exception of those who have entered into marriage in accordance with procedures laid down by law or have been recognised by the court as having legal capacity;

persons in respect of whom recognition of incapacity is sought in matters involving a decision on the capacity of a natural person;

persons involved in cases concerning registration of birth;

other persons in cases specified in treaties signed by the Republic of Lithuania.

#### **Experts' fees**

The court must pay experts for loss of earnings – at work or from their usual occupation – for each day they are required to spend in court. They are paid for providing their expertise, and reimbursed for any expenses related to appearing in court, travelling and accommodation, together with a daily subsistence allowance. A party who files a petition to call in experts must pay a **surety** for an amount established by the court in advance. If both parties submit petitions for an expert(s), they shall pay the surety in equal parts. The surety is paid into the court's special account.

If, in cases provided by the Lithuanian **Civil Code (Lietuvos Respublikos civilinis kodeksas)** or other laws, **the court calls witnesses (liudytojai) and experts (ekspertai) on its own initiative, the expenses are payable from the state budget.** This may involve ordering an examination or performing an inspection of the scene of the event.

When establishing the size of the surety, the amount of future expenses must be taken into consideration. The court pays the amounts to the experts after they have performed their duties. The court must also pay expert institutions for carrying out an investigation in accordance with an invoice presented after the investigation has been completed. These amounts will be paid from the court's special account, opened in a bank according to the court's location. The amounts paid to experts and expert institutions must, when no surety has been collected, be charged to the court's special account and paid **by the party against whom judgment was made, or by the parties in proportion to the magnitude of the claims allowed and dismissed.** The **Ministry of Justice** establishes the maximum amounts of these expenses

#### **Translators' and interpreters' fees**

The court reimburses translators for loss of earnings – arising from their absence from work or usual daily occupation – for each day they are required to spend in court. Translators must be paid for their translation work, and reimbursed for any expenses they incur due to appearing in court, travelling, accommodation and a daily subsistence allowance. A party who submits documents to court and requires them to be translated into a foreign language must pay in advance a surety of the amount established by the court.

The court must pay translators from the state budget funds allocated for this purpose, except for amounts paid to translators for translation into a foreign language of court documents submitted by the parties. The cost of interpretation/ translation services during a court session must be **covered by the state budget.** The Ministry of Justice has established the maximum amount of this expenditure.

#### **Related attachments**

[Lithuania's report of the Study on Transparency of costs](#)  (950 Kb) 

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### 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 Litass 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 Litass 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 Litass per hour or a percentage of the value of the relevant item(s)

<b>Case B</b>	The same as in the national situation	The same as in the national situation	The same as in the national situation
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<b>Case Study</b>	<b>Expert</b>	
	<b>Is use compulsory?</b>	<b>Cost</b>
<b>Case A</b>	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.
<b>Case B</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**

<b>Case Study</b>	<b>Witness compensation</b>		<b>Pledge or security</b>		<b>Other fees</b>	
	<b>Are witnesses compensated?</b>	<b>Cost</b>	<b>Does this exist and when and how is it used?</b>	<b>Cost</b>	<b>Description</b>	<b>Cost</b>
<b>Case A</b>	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
<b>Case B</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**

<b>Case study</b>	<b>Legal Aid</b>		
	<b>When and under what conditions is it applicable?</b>	<b>When is support total?</b>	<b>Conditions?</b>
<b>Case A</b>	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.
<b>Case B</b>	The same as in the national situation	The same as in the national situation	The same as in the national situation

<b>Case study</b>	<b>Reimbursement</b>			
	<b>Can the winning party obtain reimbursement of litigation costs?</b>	<b>If reimbursement is not total what is percentage in general?</b>	<b>What costs are never reimbursed?</b>	<b>Are there instances when legal aid should be reimbursed to the legal aid organisation?</b>

<b>Case A</b>	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.
<b>Case B</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?
<b>Case A</b>	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.		

<b>Case B</b>	The same as in the national situation					
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#### 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
<b>Case A</b>	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.
<b>Case B</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
<b>Case A</b>	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
<b>Case B</b>	The same as in national situation	The same as in national situation A

##### Costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailliff		
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs
<b>Case A</b>	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.
<b>Case B</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

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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 of 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?
			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.

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.	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.
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#### 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

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#### 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		
Case A	Initial court fees	Transcription fees	Other fees
	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
		The same as in national situation	The same as in national situation

<b>Case B</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.		
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<b>Case Study</b>	<b>Appeals</b>		
	<b>Initial court fees</b>	<b>Transcription fees</b>	<b>Other fees</b>
<b>Case A</b>	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.
<b>Case B</b>	The same as in national situation	The same as in national situation	The same as in national situation

<b>Case Study</b>	<b>ADR</b>	
	<b>Is this option open for this type of case?</b>	<b>Costs</b>
<b>Case A</b>	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
<b>Case B</b>	The same as in national situation	The same as in national situation

**Costs for lawyer, bailiff and expert**

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

<b>Case Study</b>	<b>Bailiff</b>		
	<b>Is representation compulsory?</b>	<b>Pre-judgment costs</b>	<b>Post-judgment costs</b>
<b>Case A</b>	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
<b>Case B</b>	The same as in national situation	The same as in national situation	The same as in national situation

<b>Case Study</b>	<b>Expert</b>	
	<b>Is use compulsory?</b>	<b>Cost</b>
<b>Case A</b>	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.
<b>Case B</b>	The same as in national situation	The same as in national situation

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

	<b>Witness compensation</b>	<b>Pledge or security</b>
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Case Study	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 insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person	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 insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person

	<p>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>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>
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**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?
<b>Case A</b>	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.
<b>Case B</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

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**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
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	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this c this typ
<b>Case A</b>	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	Average costs
	Is representation compulsory?	
<b>Case A</b>	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
<b>Case B</b>		

Case Study	Bailiff			Expert	
	Is representation compulsory?	Pre-judgement costs	Post-judgment costs	Is use compulsory?	Cost
<b>Case A</b>	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.
<b>Case B</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
<b>Case A</b>	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
<b>Case B</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 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 national situation	The same as in national situation

#### Costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement
	<b>When and under which conditions is it applicable?</b>	<b>Can the winning party obtain reimbursement of litigation costs?</b>
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	
	<b>When and under what conditions is it necessary?</b>	<b>When and under what conditions is it necessary?</b>	<b>Approximate cost?</b>
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

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#### 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 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	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			expenses of the curator's work; 6) other necessary and reasonable expenses
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#### Costs for lawyer, bailiff and expert

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

<b>Case Study</b>	<b>Bailiff</b>			<b>Expert</b>	
	<b>Is representation compulsory?</b>	<b>Pre-judgement costs</b>	<b>Post-judgement costs</b>	<b>Is use compulsory?</b>	<b>Cost</b>
<b>Case A</b>	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.
<b>Case B</b>	No	No	Same as in a Case A		

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

<b>Case Study</b>	<b>Witness compensation</b>		<b>Pledge or security</b>	
	<b>Are witnesses compensated?</b>	<b>Cost</b>	<b>Does this exist and when and how is it used?</b>	<b>Cost</b>
<b>Case A</b>	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

<b>Case Study</b>	<b>Other fees</b>	
	<b>Description</b>	<b>Cost</b>
<b>Case A</b>	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
<b>Case B</b>		

#### Costs for legal aid and other reimbursement

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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 study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?

<b>Case A</b>	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.
<b>Case B</b>	As per national situation	As per national situation	As per national situation	As per national situation

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