

[Página principal](#)>[Emprender acciones judiciales](#)>[Dónde y cómo](#)>**Costas**

## Costas

### Chequia

En esta página encontrará información sobre los costes judiciales en la República Checa.

[Derecho de familia – Divorcio](#)

[Derecho de familia – Custodia de menores y pensión alimenticia](#)

[Derecho mercantil – Contratos](#)

[Derecho mercantil – Responsabilidad](#)

### Marco normativo por el que se rigen las retribuciones de las profesiones jurídicas

#### Abogados

En la República Checa existe una única categoría de abogados: el ejercicio de la abogacía no conoce la distinción entre «barristers» y «solicitors» que se da en el Reino Unido.

La [Orden del Ministerio de Justicia 177/1996, de 4 de junio de 1996](#), establece los honorarios y la remuneración de los abogados por la prestación de sus servicios jurídicos, conforme a un baremo. Esta información está disponible en lengua inglesa en las páginas web del Colegio de Abogados de la República Checa.

Las partes implicadas también pueden acordar a título privado el montante de las minutas.

En la mayoría de asuntos de Derecho Civil, (incluidos los del ámbito de familia y mercantil) la representación legal es facultativa.

#### Costes fijos:

##### Costes fijos de un procedimiento civil

##### Costes fijos para las partes en los procesos civiles

La ley 549/1991, relativa a las tasas judiciales (cuyo texto no está disponible en inglés) reglamenta las tasas que han de abonarse durante los procedimientos civiles. Estas pueden variar dependiendo del tipo de asunto: en algunos casos, se abonan a tanto alzado, y en otros constituyen un porcentaje determinado.

Sea como fuere, el abono ha de efectuarse en coronas checas (CZK, Kč), existiendo la posibilidad de cursarlo mediante transferencia bancaria a una cuenta del Estado o, en su caso, del órgano jurisdiccional. Las tasas por un montante de hasta 5 000 CZK se pueden abonar con timbres fiscales, de venta en oficinas de correos y otros locales.

Es obligación del órgano jurisdiccional informar a quien solicita su intervención cuál es el montante de las tasas judiciales.

##### Fases de los procesos civiles en las que deben pagarse costes fijos

Las tasas judiciales son pagaderas a partir del momento en que surge la obligación de abonarlas, por ejemplo, a la presentación de una demanda. De no abonarse las tasas procesales, el órgano jurisdiccional solicitará su abono al deudor, indicándole el plazo. Una vez vencido este, y si no se hubieran abonado las tasas, el órgano jurisdiccional suspenderá el procedimiento.

##### Costes fijos en los procesos penales

##### Costes fijos para las partes en los procesos penales

Los procesos penales se incoan siempre *ex officio*: es obligación formal de la fiscalía. El acusado abona únicamente los costes de representación legal en caso de que no se le haya reconocido ese derecho a título gratuito o una minoración de los honorarios. Si se dicta sentencia condenatoria para el acusado, este estará obligado a reembolsar al Estado las costas del proceso penal conforme a los montantes establecidos por la ley.

##### Fases de los procesos penales en las que deben pagarse costes fijos

En los procesos penales no se pagan tasas judiciales.

##### Costes fijos de los procesos ante el Tribunal Constitucional

##### Costes fijos de los procesos para las partes en el Tribunal Constitucional

En el caso de las demandas interpuestas ante el **Tribunal Constitucional** de la República Checa, aunque no hay prescritas **tasas judiciales fijas algunas**, la representación legal mediante abogado reviste carácter obligatorio.

##### Fases de los procesos penales en el Tribunal Constitucional en las que las partes han de pagar costes fijos

No se abonan tasas judiciales a tanto alzado.

### Información previa que deben aportar los representantes legales

#### Derechos y obligaciones de las partes

Sobre los representantes legales no recae obligación alguna de proporcionar información de antemano.

Los derechos y obligaciones pueden ser objeto de acuerdo entre el abogado y su cliente.

#### Base jurídica de los costes

##### ¿Dónde puedo encontrar información sobre la base jurídica de los costes?

Se recomienda consultar al abogado sobre el caso concreto de que se trate. Una vez iniciado el proceso, el órgano jurisdiccional está en la obligación de comunicar a las partes el montante de las tasas judiciales.

##### ¿En qué idioma puedo obtener información sobre la base jurídica de los costes en la República Checa?

Visto que el checo es el único idioma oficial en la República Checa, no existe obligación legal de proporcionar esa información en otros idiomas, de ahí que la calidad de esta dependa de la voluntad y conocimientos de quienes la proporcionen.

##### ¿Dónde puedo obtener información sobre la mediación?

En la página de la [Asociación de mediadores de la República Checa](#) encontrará información sobre esta vía.

El [Ministerio de Justicia](#), así como la base de datos con la [lista de mediadores](#), proporcionan información sobre los mediadores registrados.

##### ¿Dónde se puede encontrar información relativa a los costes?

#### Páginas de internet accesibles con información relativa a los costes

No hay ninguna página web oficial disponible con información relativa a los costes.

### ¿Dónde puedo encontrar información sobre la duración media por tipo de proceso?

La página web del [Ministerio de Justicia](#) alberga estadísticas referentes a la actividad judicial y fiscal.

### ¿Dónde puedo encontrar información sobre los costes medios totales por proceso?

Los costes que han de pagarse dependen de las circunstancias de cada caso. No se efectúa el seguimiento de los costes medios totales de los procesos judiciales.

## Impuesto sobre el valor añadido (IVA)

### ¿Cómo se facilita la información?

Las tasas judiciales están exentas del IVA, siendo su importe final. Si bien las minutas de los abogados no incluyen el IVA, hay gabinetes sujetos a este impuesto que lo cobran a un tipo del 21%. La ley 235/2004 relativa al impuesto sobre el valor añadido constituye la normativa aplicable al IVA y sus modalidades de cobro.

### ¿Qué tipos tributarios se aplican?

El tipo general es del 21%, y el reducido del 15%.

## Asistencia jurídica

### Umbral de ingresos aplicable en los asuntos civiles

No se ha establecido ningún umbral de ingresos. A la hora de conceder la asistencia jurídica gratuita, se sopesan no solo la renta del interesado, sino también cuál es la situación financiera en general de su hogar. De ser preciso, y para proteger los intereses de una de las partes, si se trata de un proceso complejo por su materia o desde el punto de vista procesal, o si se trata de un proceso en el que sea obligatorio recurrir a un abogado y a la vez así lo justificaren las circunstancias de la parte, el juez puede designar un representante, en este caso un abogado. El juez eximirá a la parte de abonar las minutas de dicho representante y las tasas judiciales.

El Colegio de Abogados de la República Checa también proporciona asistencia jurídica gratuita a través de organizaciones no gubernamentales especializadas (dependiendo de cuál sea la materia del asunto).

### Umbral de ingresos aplicable en los asuntos penales para los acusados

No se ha establecido ningún umbral de ingresos. El juez asigna un abogado defensor al acusado en todos los casos en los que la representación legal sea obligatoria y el acusado carezca de abogado defensor propio.

Si el acusado demuestra fehacientemente que carece de medios suficientes para abonar los costes de defensa, el órgano jurisdiccional decidirá que ha lugar a una defensa a título gratuito o a una minoración de los honorarios.

### Umbral de ingresos aplicable en los asuntos penales para las víctimas (parte perjudicada)

Tendrán derecho a representación legal gratuita en un procedimiento penal las partes perjudicadas menores de 18 años, siempre y cuando no se trate de un delito de incumplimiento de la obligación de pagar una pensión de alimentos o del deber de sustento

A su vez, tienen derecho a representación legal gratuita:

las víctimas especialmente vulnerables con arreglo a la ley 45/2013, relativa a las víctimas de delitos, por la que se modifican distintas leyes (ley de víctimas de delitos);

aquellas personas a las que, a raíz de un delito doloso, se haya causado graves perjuicios para su salud, supervivientes de la víctima mortal de un delito,

quienes puedan demostrar que carecen de medios suficientes para sufragar por sí mismos los costes de su representación. Estas personas tienen derecho a elegir su propio agente; de lo contrario, se lo designará el correspondiente órgano jurisdiccional de lo penal.

Si la parte perjudicada reuniera además la condición de persona especialmente vulnerable, se le reconocerá parcialmente el derecho a **asistencia jurídica conforme a la ley de víctimas de delitos**. Dicha asistencia jurídica correrá a cargo de abogados que hayan mostrado interés en proporcionar a estas víctimas una asistencia jurídica parcialmente gratuita y consten en el registro del Ministerio de Justicia.

### Resto de condiciones aplicables a la prestación de la asistencia jurídica a las víctimas

Las organizaciones no gubernamentales que cumplan las condiciones establecidas y hayan obtenido la acreditación del Ministerio de Justicia y del Servicio de presentación de pruebas y de mediación pueden proporcionar **información de carácter jurídico** (sobre todo información relativa a los derechos con arreglo a la ley de víctimas de los delitos así como a los derechos de las partes perjudicadas en los procedimientos penales). No obstante, dicha información no es constitutiva de asistencia jurídica en el sentido estricto de la palabra.

### Resto de condiciones aplicables a la prestación de la asistencia jurídica a los acusados

En relación con la asistencia jurídica a los acusados en causas penales, también es de aplicación lo anteriormente expuesto en lo que al umbral de la renta respecta.

### Gratuidad de las tasas judiciales

No se abonan tasas al interponer una demanda ante el **Tribunal Constitucional**. Tampoco se cobran tasas judiciales en otros tipos concretos de procesos, como los indicados en el artículo 11 de la ley 549/1991 relativa a las tasas judiciales: cuando el demandante es menor de edad, o el Estado o sus órganos se personan en la causa; cuando se trate de la concesión de asilo a petición de un extranjero, o en otros casos, cuando una de las partes se encuentra en una «situación de vulnerabilidad».

### ¿Cuándo tiene que abonar la parte perdedora las costas a la parte ganadora?

Esta cuestión depende en cada caso concreto de la resolución dictada por el juez (en firme); compete al órgano jurisdiccional imponer a la parte perdedora el reembolso, total o parcial, de las costas. No obstante, ello no es de aplicación a los procedimientos de divorcio. A menudo, la decisión en torno a la obligación del pago en costas puede quedar vinculada a los costes de representación legal.

### Honorarios y costes de los peritajes

El órgano jurisdiccional es el encargado de remunerar a los peritos que haya designado. Cuando sean las partes del litigio las que hayan solicitado la intervención de los peritos, estas habrán de sufragar los honorarios correspondientes. En algunos casos especiales, el órgano jurisdiccional puede decidir que sea la parte perdedora la responsable de remunerar a los peritos.

### Honorarios de los traductores e intérpretes

Es obligación del órgano jurisdiccional remunerar a los traductores e intérpretes; cuando una de las partes sea extranjera y no entienda el checo, tendrá derecho a dirigirse al órgano jurisdiccional en su lengua materna.

### Anexos relacionados

[Informe de la República Checa referente al «Estudio sobre transparencia de las costas»](#)  (703 Kb) 

Última actualización: 28/02/2022

El Estado miembro correspondiente realiza el mantenimiento de la versión de esta página en la lengua nacional. El correspondiente servicio de la Comisión Europea se encarga de las traducciones. Es posible que las traducciones aun no reflejen algunos de los cambios que la autoridad nacional competente

haya hecho en la versión original. La Comisión Europea no asume ninguna responsabilidad con respecto a cualquier información o dato incluido o citado en este documento. Véase el aviso legal para las normas sobre derechos de autor aplicables en los Estados miembros responsables de esta página.

#### Case study 1 - family law - divorce - Czech Republic

In this case study on family law – divorce, the Member States were asked to advise the party that files for divorce on litigation costs in 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 the 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 the Czech Republic

##### Indicative costs for court, appeals and alternative dispute resolution (ADR)

| Case study | First-instance court proceedings |                      |            | Appellate proceedings |                    |            | Alternative dispute resolution             |                                                                                                                            |
|------------|----------------------------------|----------------------|------------|-----------------------|--------------------|------------|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
|            | Initial court fees               | Transcription fees   | Other fees | Initial court fees    | Transcription fees | Other fees | Is this option open for this type of case? | Costs                                                                                                                      |
| Case A     | CZK 2 000                        | Not applicable (N/A) | N/A        | CZK 2 000             | N/A                | N/A        | Yes (optional)                             | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |
| Case B     | CZK 2 000                        | N/A                  | N/A        | CZK 2 000             | N/A                | N/A        | Yes (optional)                             | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |

##### Indicative costs for a lawyer, licenced enforcement agent and expert

| Case study | Legal representation          |                                                                  | Licenced enforcement agent                             |                    |                     | Expert                          |                             |
|------------|-------------------------------|------------------------------------------------------------------|--------------------------------------------------------|--------------------|---------------------|---------------------------------|-----------------------------|
|            | Is representation compulsory? | Average cost                                                     | Is use compulsory?                                     | Pre-judgment costs | Post-judgment costs | Is use of an expert compulsory? | Costs                       |
| Case A     | No.                           | Contractual, CZK 1 500 per task according to the lawyer's tariff | No                                                     | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |
| Case B     | No.                           | Contractual                                                      | No (depends on the other country involved in the case) | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |

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

| Costs for witness compensation, deposits, securities and other relevant fees |                             |                                                   |                                              |       |             |       |
|------------------------------------------------------------------------------|-----------------------------|---------------------------------------------------|----------------------------------------------|-------|-------------|-------|
| Case study                                                                   | Witness compensation        |                                                   | Deposit or security                          |       | Other costs |       |
|                                                                              | Are witnesses compensated?  | Costs                                             | Does this exist and when and how is it used? | Costs | Description | Costs |
| Case A                                                                       | Yes. Actual costs are paid. | Differ according to the circumstances of the case | No.                                          | -     | -           | -     |
| Case B                                                                       | Yes. Actual costs are paid. | Differ according to the circumstances of the case | No.                                          | -     | -           | -     |

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

| Case study | Legal aid                                        |                               |             | Reimbursement                                                   |                                                                                           |                                  |                                                                                        |
|------------|--------------------------------------------------|-------------------------------|-------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------|----------------------------------|----------------------------------------------------------------------------------------|
|            | When and under what conditions is it applicable? | When is full legal aid given? | Conditions? | Can the winning party obtain reimbursement of litigation costs? | If reimbursement is not comprehensive, what is the usual percentage of the costs covered? | What costs are never reimbursed? | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
|            |                                                  |                               |             |                                                                 |                                                                                           |                                  |                                                                                        |

|               |                                                                                |   |   |                                                                                                         |   |                                                |     |
|---------------|--------------------------------------------------------------------------------|---|---|---------------------------------------------------------------------------------------------------------|---|------------------------------------------------|-----|
| <b>Case A</b> | Only NGOs                                                                      | - | - | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | - | Depends on the court's decision, usually none. | No. |
| <b>Case B</b> | See the Directive concerning application of legal aid in cross-border disputes | - | - | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | - | Depends on the court's decision, usually none. | No. |

#### Translation and interpreting costs

| Case study    | Translation                                                            |                             | Interpreting                                                                           |                             | Other costs specific to cross-border disputes? |                    |
|---------------|------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------|-----------------------------|------------------------------------------------|--------------------|
|               | When and under what conditions is it necessary?                        | Approximate costs?          | When and under what conditions is it necessary?                                        | Approximate costs?          | Description                                    | Approximate costs? |
| <b>Case A</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page |                                                                                        | -                           | -                                              | -                  |
| <b>Case B</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | In cases where a party or a witness is a foreign national or does not understand Czech | CZK 100 to CZK 350 per hour | -                                              | -                  |

Last update: 02/11/2020

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

#### Case study 2 - family law - custody of the children - Czech Republic

In this case study on family law – custody of the children, Member States were asked to advise the suing party on litigation costs in 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 authorised 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 the Czech Republic

##### Indicative costs for court, appeals and alternative dispute resolution

| Case study    | First-instance court proceedings |                      |            | Appellate proceedings |                    |            | Alternative dispute resolution          |                                                                                                                            |
|---------------|----------------------------------|----------------------|------------|-----------------------|--------------------|------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------|
|               | Initial court fees               | Transcription fees   | Other fees | Initial court fees    | Transcription fees | Other fees | Can this be used in this specific case? | Costs                                                                                                                      |
| <b>Case A</b> | CZK 0                            | Not applicable (N/A) | N/A        | CZK 0                 | N/A                | N/A        | Yes                                     | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |
| <b>Case B</b> | CZK 0                            | Not applicable (N/A) | N/A        | CZK 0                 | N/A                | N/A        | Yes                                     | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |

**Indicative costs for a lawyer, licenced enforcement agent and expert**

| Case study | Legal representation          |                                                                  | Licenced enforcement agent        |                    |                     | Expert                          |                             |
|------------|-------------------------------|------------------------------------------------------------------|-----------------------------------|--------------------|---------------------|---------------------------------|-----------------------------|
|            | Is representation compulsory? | Average cost                                                     | Is use compulsory?                | Pre-judgment costs | Post-judgment costs | Is use of an expert compulsory? | Costs                       |
| Case A     | No                            | Contractual, CZK 1 000 per task according to the lawyer's tariff | No                                | -                  | -                   | No                              | CZK 100 to CZK 350 per hour |
| Case B     | No                            | Contractual, CZK 1 000 per task according to the lawyer's tariff | No (depends on the other country) | -                  | -                   | No                              | CZK 100 to CZK 350 per hour |

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

| Case study | Witness compensation                 |                                                   | Deposit or security                          |       | Other costs |       |  |
|------------|--------------------------------------|---------------------------------------------------|----------------------------------------------|-------|-------------|-------|--|
|            | Are witnesses compensated?           | Costs                                             | Does this exist and when and how is it used? | Costs | Description | Costs |  |
| Case A     | Yes, depending on their actual costs | Differ according to the circumstances of the case | Not in this type of proceedings              | -     | -           | -     |  |
| Case B     | Yes, depending on their actual costs | Differ according to the circumstances of the case | Not in this type of proceedings              | -     | -           | -     |  |

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

| Case study | Legal aid                                                                      |                               |             | Reimbursement                                                                                           |                                                                                           |                                               |                                                                                        |
|------------|--------------------------------------------------------------------------------|-------------------------------|-------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------|
|            | When and under what conditions is it applicable?                               | When is full legal aid given? | Conditions? | Can the winning party obtain reimbursement of litigation costs?                                         | If reimbursement is not comprehensive, what is the usual percentage of the costs covered? | What costs are never reimbursed?              | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
| Case A     | Only NGOs                                                                      | -                             | -           | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | -                                                                                         | Depends on the court's decision, usually none | No                                                                                     |
| Case B     | See the Directive concerning application of legal aid in cross-border disputes | -                             | -           | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | -                                                                                         | Depends on the court's decision, usually none | No                                                                                     |

**Translation and interpreting costs**

| Case study | Translation                                     |                             | Interpreting                                    |                    | Other costs specific to cross-border disputes? |                    |  |
|------------|-------------------------------------------------|-----------------------------|-------------------------------------------------|--------------------|------------------------------------------------|--------------------|--|
|            | When and under what conditions is it necessary? | Approximate costs?          | When and under what conditions is it necessary? | Approximate costs? | Description                                    | Approximate costs? |  |
|            |                                                 | CZK 100 to CZK 350 per page | -                                               | -                  | -                                              | -                  |  |

|               |                                                                        |                             |                                                                                        |                             |   |   |
|---------------|------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------|-----------------------------|---|---|
| <b>Case A</b> | Original documents in a foreign language necessary for the proceedings |                             |                                                                                        |                             |   |   |
| <b>Case B</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | In cases where a party or a witness is a foreign national or does not understand Czech | CZK 100 to CZK 350 per hour | - | - |

Last update: 02/11/2020

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

#### Case Study 4 – Commercial law – Contracts – Czech Republic

In this case study on commercial law – contracts - Member States were asked to advise the seller on litigation costs in the following situations:

**Case A – National situation:** A company delivered goods worth EUR 20 000. 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 euro 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 for under the contract with the buyer.

#### Costs in the Czech Republic

##### Indicative costs for court, appeals and alternative dispute resolution

| Case study    | First-instance court proceedings                                        |                      |            | Appellate proceedings |                      |            | Alternative dispute resolution                   |             |
|---------------|-------------------------------------------------------------------------|----------------------|------------|-----------------------|----------------------|------------|--------------------------------------------------|-------------|
|               | Initial court fees                                                      | Transcription fees   | Other fees | Initial court fees    | Transcription fees   | Other fees | Can this be used in this specific case?          | Costs       |
| <b>Case A</b> | 5% of the amount (with subject of the proceedings under CZK 40 million) | Not applicable (N/A) | No.        | 5% of the amount      | Not applicable (N/A) | No.        | Yes (e.g., arbitration proceedings or mediation) | Contractual |
| <b>Case B</b> | 5% of the amount (with subject of the proceedings under CZK 40 million) | Not applicable (N/A) | No.        | 5% of the amount      | Not applicable (N/A) | No.        | Yes (e.g., arbitration proceedings or mediation) | Contractual |

##### Indicative costs for a lawyer, licenced enforcement agent and expert

| Case study    | Legal representation          |              | Licenced enforcement agent |                    |                     | Expert                          |                             |
|---------------|-------------------------------|--------------|----------------------------|--------------------|---------------------|---------------------------------|-----------------------------|
|               | Is representation compulsory? | Average cost | Is use compulsory?         | Pre-judgment costs | Post-judgment costs | Is use of an expert compulsory? | Costs                       |
| <b>Case A</b> | No.                           | Contractual  | No.                        | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |
| <b>Case B</b> | No.                           | Contractual  | No.                        | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |

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

| Case study    | Witness compensation        |                                                   | Deposit or security                                          |             | Other costs |       |
|---------------|-----------------------------|---------------------------------------------------|--------------------------------------------------------------|-------------|-------------|-------|
|               | Are witnesses compensated?  | Costs                                             | Does this exist and when and how is it used?                 | Costs       | Description | Costs |
| <b>Case A</b> | Yes. Actual costs are paid. | Differ according to the circumstances of the case | In commercial cases, if preliminary injunction is requested. | CZK 50 000. | -           | -     |
|               | Yes. Actual costs are paid. |                                                   |                                                              |             |             |       |

|               |  |                                                   |                                                              |             |   |   |
|---------------|--|---------------------------------------------------|--------------------------------------------------------------|-------------|---|---|
| <b>Case B</b> |  | Differ according to the circumstances of the case | In commercial cases, if preliminary injunction is requested. | CZK 50 000. | - | - |
|---------------|--|---------------------------------------------------|--------------------------------------------------------------|-------------|---|---|

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

| Case study    | Legal aid                                                                      |                               |             | Reimbursement                                                   |                                                                                           |                                           |                                                                                        |
|---------------|--------------------------------------------------------------------------------|-------------------------------|-------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------|
|               | When and under what conditions is it applicable?                               | When is full legal aid given? | Conditions? | Can the winning party obtain reimbursement of litigation costs? | If reimbursement is not comprehensive, what is the usual percentage of the costs covered? | What costs are never reimbursed?          | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
| <b>Case A</b> | Very rarely in commercial cases.                                               | -                             | -           | Yes.                                                            | Depends on the circumstances of the case.                                                 | Compensation of all costs may be ordered. | No.                                                                                    |
| <b>Case B</b> | See the Directive concerning application of legal aid in cross-border disputes | -                             | -           | Yes.                                                            | Depends on the circumstances of the case.                                                 | Compensation of all costs may be ordered. | No.                                                                                    |

#### Translation and interpreting costs

| Case study    | Translation                                                            |                             | Interpreting                                                                           |                             |
|---------------|------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------|-----------------------------|
|               | When and under what conditions is it necessary?                        | Approximate costs?          | When and under what conditions is it necessary?                                        | Approximate costs?          |
| <b>Case A</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | -                                                                                      | -                           |
| <b>Case B</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | In cases where a party or a witness is a foreign national or does not understand Czech | CZK 100 to CZK 350 per hour |

Last update: 02/11/2020

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

#### Case Study number 5 – Commercial law – Liability – Czech Republic

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

**Case A – National situation:** A manufacturer of heating equipment delivers a boiler to an installer. The installer sells the boiler to a customer and installs it in the customer's 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 Member State B delivers a boiler to an installer in Member State C. The installer sells the boiler on to a customer in Member State A and installs it in his/her house. The house catches fire shortly thereafter. Each one of the parties involved (manufacturer of heating equipment, installer, end-customer) is insured by an insurance company in that party's own Member State. The origin of the fire is contested. Nobody wants to compensate the customer.

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

#### Costs in the Czech Republic

##### Indicative costs for court, appeals and alternative dispute resolution

| Case study    | First-instance court proceedings     |                      |            | Appellate proceedings |                      |            | Alternative dispute resolution          |                                                   |
|---------------|--------------------------------------|----------------------|------------|-----------------------|----------------------|------------|-----------------------------------------|---------------------------------------------------|
|               | Initial court fees                   | Transcription fees   | Other fees | Initial court fees    | Transcription fees   | Other fees | Can this be used in this specific case? | Costs                                             |
| <b>Case A</b> | 5% of the amount (insurance claimed) | Not applicable (N/A) | No.        | 5% of the amount      | Not applicable (N/A) | No.        | Yes (optional)                          | Contractual (usually CZK 1 000 per hour; 3 hours) |

|               |                                      |                      |     |                  |                      |     |                |             |
|---------------|--------------------------------------|----------------------|-----|------------------|----------------------|-----|----------------|-------------|
| <b>Case B</b> | 5% of the amount (insurance claimed) | Not applicable (N/A) | No. | 5% of the amount | Not applicable (N/A) | No. | Yes (optional) | Contractual |
|---------------|--------------------------------------|----------------------|-----|------------------|----------------------|-----|----------------|-------------|

**Indicative costs for a lawyer, licenced enforcement agent and expert**

| Case study    | Legal representation          |              | Licenced enforcement agent |                    |                     | Expert                          |                             |
|---------------|-------------------------------|--------------|----------------------------|--------------------|---------------------|---------------------------------|-----------------------------|
|               | Is representation compulsory? | Average cost | Is use compulsory?         | Pre-judgment costs | Post-judgment costs | Is use of an expert compulsory? | Costs                       |
| <b>Case A</b> | No.                           | Contractual  | No.                        | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |
| <b>Case B</b> | No.                           | Contractual  | No.                        | -                  | -                   | No.                             | CZK 100 to CZK 350 per hour |

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

| Case study    | Witness compensation        |                                                   | Deposit or security                          |             | Other costs      |                                                   |
|---------------|-----------------------------|---------------------------------------------------|----------------------------------------------|-------------|------------------|---------------------------------------------------|
|               | Are witnesses compensated?  | Costs                                             | Does this exist and when and how is it used? | Costs       | Description      | Costs                                             |
| <b>Case A</b> | Yes. Actual costs are paid. | Differ according to the circumstances of the case | If a preliminary injunction is requested.    | CZK 10 000. | Cost of evidence | Differ according to the circumstances of the case |
| <b>Case B</b> | Yes. Actual costs are paid. | Differ according to the circumstances of the case | If a preliminary injunction is requested     | CZK 10 000. | Cost of evidence | Differ according to the circumstances of the case |

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

| Case study    | Legal aid                                                                                        |                                                                                    |                                                                          | Reimbursement                                                   |                                                                                           |                                           |                                                                                        |
|---------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------|
|               | When and under what conditions is it applicable?                                                 | When is full legal aid given?                                                      | Conditions?                                                              | Can the winning party obtain reimbursement of litigation costs? | If reimbursement is not comprehensive, what is the usual percentage of the costs covered? | What costs are never reimbursed?          | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
| <b>Case A</b> | Consumer protection centres, other NGOs                                                          | If necessary to protect the interests of a party, the court will appoint a lawyer. | The party's application, their assets and the complexity of the dispute. | Yes.                                                            | Depends on the circumstances of the case.                                                 | Compensation of all costs may be ordered. | No.                                                                                    |
| <b>Case B</b> | See the Directive concerning legal aid in cross-border disputes or the European Consumer Centre. | If necessary to protect the interests of a party, the court will appoint a lawyer. | The party's application, their assets and the complexity of the dispute. | Yes.                                                            | Depends on the circumstances of the case.                                                 | Compensation of all costs may be ordered. | No.                                                                                    |

**Translation and interpreting costs**

| Case study | Translation                                     |                    | Interpreting                                    |                    |
|------------|-------------------------------------------------|--------------------|-------------------------------------------------|--------------------|
|            | When and under what conditions is it necessary? | Approximate costs? | When and under what conditions is it necessary? | Approximate costs? |

|               |                                                                        |                             |                                                                                        |                             |
|---------------|------------------------------------------------------------------------|-----------------------------|----------------------------------------------------------------------------------------|-----------------------------|
| <b>Case A</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | -                                                                                      | -                           |
| <b>Case B</b> | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | In cases where a party or a witness is a foreign national or does not understand Czech | CZK 100 to CZK 350 per hour |

Last update: 02/11/2020

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