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Costas

Lituania

Esta sección ofrece información sobre las costas procesales en Lituania.

[Derecho de familia: divorcio](#)

[Derecho de familia: custodia de los hijos](#)

[Derecho de familia: pensión alimenticia](#)

[Derecho mercantil: contratos](#)

[Derecho mercantil: responsabilidad](#)

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

1. Procuradores de los tribunales

En Lituania no existe esta profesión.

2. Asesores jurídicos

Los honorarios de los abogados no están regulados en Lituania. Dependen de la complejidad del asunto y de los medios empleados. No obstante, su importe no puede superar el límite máximo fijado en las recomendaciones aprobadas por el **Ministerio de Justicia y el Presidente del Consejo del Colegio de Abogados de Lituania** (*Lietuvos advokatų tarybos pirmininkas*).

3. Abogados con facultad de representación en juicio

En Lituania no existe esta profesión diferenciada de los abogados en general.

4. Oficiales de justicia

Los oficiales de justicia solamente intervienen cuando el deudor incumple la sentencia y es preciso emitir documentos ejecutivos. Los honorarios, la forma de pago y las exenciones de las tasas de ejecución se rigen por el Reglamento de **ejecución de sentencias**. Todas las costas de la ejecución deben ser abonadas por el acreedor designado en la sentencia. Durante la ejecución o en una fase ulterior se podrán recuperar del deudor los honorarios del oficial de justicia.

Su importe dependerá del título de ejecución y del número de veces que se dicte. Algunos costes de ejecución son fijos, otros se cobran a razón de 60 LTL la hora y otros se establecen de acuerdo con un porcentaje sobre el valor de los bienes sujetos a ejecución.

Tasas judiciales

Tasas judiciales en los procesos civiles

Tasas judiciales para los litigantes en los procesos civiles

Las costas judiciales en los **procesos civiles** están constituidas por el impuesto sobre actos jurídicos documentados y otros conceptos, como los honorarios de abogado, los gastos de notificación y entrega de resoluciones judiciales, los derechos de peritos, las indemnizaciones a testigos, los gastos de ejecución de la sentencia, etc. El impuesto sobre actos jurídicos documentados es fijo y su importe está definido en el Código de procedimiento civil. Las costas procesales se regulan en el capítulo VIII del **Código de procedimiento civil** (*Civilinio proceso kodeksas*).

Fase del proceso civil en la que deben pagarse tasas judiciales

El impuesto sobre actos jurídicos documentados se paga generalmente antes de presentar la demanda.

Tasas judiciales en los procesos penales

Tasas judiciales para los litigantes en los procesos penales

En los procesos penales no se pagan tasas judiciales.

Tasas judiciales en los procesos constitucionales

Tasas judiciales para los litigantes en los procesos constitucionales

Los procesos constitucionales son gratuitos, pero las demandas de inconstitucionalidad no pueden ser interpuestas por cualquier persona.

Información previa que deben aportar los representantes procesales

La legislación no impone directamente ninguna obligación al respecto.

Costas a cargo de la parte ganadora

Las costas de los procesos civiles son las establecidas en el capítulo VIII del Código de procedimiento civil.

Fuente jurídica de las costas

¿Dónde puedo obtener información sobre las costas en Lituania?

Se publica información adicional en el [Informe de Lituania para el Estudio sobre transparencia de las costas](#)  (950 Kb) .

¿En qué lenguas puedo encontrar información sobre las fuentes jurídicas reguladoras de las costas?

La información se encuentra disponible en inglés.

¿Dónde puedo obtener información sobre la mediación?

Se puede encontrar más información en el sitio web: [Procedimiento de mediación judicial](#).

Asistencia jurídica gratuita

Condiciones para la concesión de asistencia jurídica gratuita

Con arreglo a la legislación lituana, existen dos clases de asistencia jurídica gratuita garantizada por el Estado:

La **«asistencia jurídica gratuita básica»** (*pirminė teisinė pagalba*) cubre la prestación de asistencia jurídica, de conformidad con las normas legales que regulan esta ayuda del Estado, así como el asesoramiento jurídico y la redacción de los documentos que se deban presentar ante los organismos estatales y municipales, pero no la elaboración de documentos procesales. Dicha ayuda incluye igualmente el asesoramiento dirigido a la resolución extrajudicial de conflictos, las negociaciones para la resolución de litigios por vía amistosa y la redacción de los acuerdos resultantes de la mediación.

La **«asistencia jurídica gratuita secundaria»** (*antrinė teisinė pagalba*) abarca la redacción de documentos, así como la defensa y representación ante los tribunales. Incluye la representación durante la fase preliminar extrajudicial de un litigio, cuando se requiera dicho procedimiento en virtud de una ley o sentencia judicial. La asistencia jurídica gratuita cubre también las costas procesales de los procedimientos civiles y contencioso-administrativos, así como las correspondientes las demandas civiles derivadas de un asunto penal.

Pueden tener derecho a la **asistencia jurídica gratuita básica**, con independencia de sus ingresos, todos los nacionales de la República de Lituania, así como los nacionales de los restantes países de la Unión Europea, al igual que las demás personas que residan legalmente en Lituania o en otros Estados miembros o que estén amparadas por los tratados internacionales suscritos por Lituania.

Pueden tener derecho a la asistencia jurídica gratuita secundaria los nacionales de la República de Lituania, así como los nacionales de los restantes países de la Unión Europea y demás personas que residan legalmente en Lituania o en otros Estados miembros. Para obtenerla, el **patrimonio e ingresos anuales del solicitante no podrán exceder de los niveles establecidos por el Gobierno** en la correspondiente Ley reguladora de la asistencia jurídica garantizada por el Estado.

Se aplica un régimen uniforme de límites máximos para determinar si la persona se encuentra por debajo del umbral de pobreza.

Derecho a recibir asistencia jurídica gratuita

El Gobierno ha establecido **dos niveles de patrimonio e ingresos** que no podrán superar los beneficiarios de la asistencia jurídica gratuita. Por otra parte, los ingresos anuales netos (percibidos durante los últimos doce meses) de los solicitantes no podrán estar por encima del primer o segundo nivel de ingresos definido por las normas lituanas.

El umbral de pobreza no es el único criterio que sirve para determinar si una persona tiene derecho a recibir asistencia jurídica secundaria.

El **primer nivel** corresponde a unos ingresos anuales inferiores a 8 000 litas (2 318,80 euros), además de 3 000 litas (869,60 euros) por cada dependiente. El **segundo nivel** corresponde a unos ingresos anuales inferiores a 12 000 litas (3 478,20 euros), además de 4 400 litas (1 275, 30 euros) por cada dependiente. Las obligaciones económicas del solicitante en relación con sus dependientes no se tienen en cuenta para la determinación del umbral de pobreza.

La asistencia jurídica secundaria es asumida por el Estado en las siguientes proporciones, que tienen en cuenta el patrimonio e ingresos del solicitante:

100 % para los casos correspondientes al primer nivel de ingresos.

50 % para los casos correspondientes al segundo nivel de ingresos.

Sin embargo, el Estado garantizará el 100 % de las costas de la asistencia jurídica secundaria cuando se trate de los casos contemplados en el artículo 12 de la mencionada Ley (véase más adelante), sin tener en cuenta el patrimonio o ingresos de los beneficiarios. Se exceptúan las personas (a las que hace referencia el apartado 6 del artículo 12 de la Ley) que pueden disponer libremente de sus ingresos y patrimonio, en cuyo caso se le asigna al segundo nivel, donde el Estado garantiza el 50 % de las costas de la asistencia jurídica.

Determinados grupos de personas pueden beneficiarse de la asistencia jurídica secundaria **independientemente de los niveles de patrimonio e ingresos** establecidos por el Gobierno (en virtud del artículo 12 de la Ley reguladora de la asistencia jurídica garantizada por el Estado):

Los imputados en procesos penales (conforme al artículo 51 del Código de procedimiento penal) o en otros tipos de procesos definidos por la ley, cuando sea obligatoria la asistencia de un abogado defensor.

La parte actora en procesos relacionados con indemnizaciones por daños resultantes de delitos, incluidas las demandas de indemnización por daños que formen parte de una causa penal.

Los beneficiarios de asistencia social destinada a las familias de bajos ingresos (o personas que viven solas) con arreglo a la legislación.

Las personas que residan en centros de acogida.

Las personas con discapacidad grave certificada, o a las que se haya reconocido la incapacidad laboral, así como las que hayan alcanzado la edad de jubilación o que necesiten cuidados especiales. Lo anterior se extiende también a los tutores y custodios legales que soliciten asistencia jurídica gratuita para la representación y defensa de los derechos e intereses de la persona tutelada.

Las personas que demuestren que no están en condiciones de disponer de su patrimonio e ingresos por razones objetivas, y que, como consecuencia de ello, dispongan de unos ingresos anuales inferiores a los niveles establecidos en la Ley reguladora de la asistencia jurídica.

Las personas que padezcan trastornos mentales graves, cuando se trate de procedimientos judiciales relacionados con su hospitalización y tratamiento, de conformidad con la Ley de salud mental. Se incluyen aquí también los tutores y custodios legales que requieran la asistencia jurídica gratuita para la representación y defensa de los derechos e intereses de la persona tutelada.

Los deudores en los juicios ejecutivos, cuando el cobro de la deuda implique el embargo de la vivienda en que residan.

Los padres u otros representantes legales de menores de edad en casos de desahucio.

Los menores de edad cuando acudan de forma independiente a un tribunal en defensa de sus derechos o intereses, al amparo de una ley específica.

Quedan excluidos aquellos menores que hayan contraído matrimonio válidamente o aquellos a los que un tribunal haya reconocido la capacidad legal.

Las personas incapacitadas legalmente, en los procesos que requieran una resolución sobre la capacidad legal de una persona.

Las personas que planteen asuntos relacionados con inscripciones en el registro de nacimientos.

Otros beneficiarios que puedan acogerse a los tratados suscritos por la República de Lituania.

Derechos de los peritos

El tribunal deberá compensar a los peritos, por cada día que comparezcan ante el mismo, las pérdidas de ingresos derivadas de la imposibilidad de ejercer su profesión. Recibirán una remuneración por la realización de los exámenes pertinentes, y se les reembolsarán todos los gastos de viaje y alojamiento en que hayan incurrido por su comparecencia, además de las dietas diarias correspondientes a su manutención. La parte que solicite dictamen pericial deberá abonar una **fianza** por el importe previamente establecido por el tribunal. Si ambas partes lo solicitan, deberán prestar la fianza por mitades. Dicha fianza se ingresará en la cuenta especial del tribunal.

Cuando, en los casos previstos en el **Código civil** (*Lietuvos Respublikos civilinis kodeksas*) u otras normas legales, **el tribunal llame a testigos** (*liudytojai*) y **peritos** (*ekspertai*) **por su propia iniciativa, los gastos correspondientes correrán a cargo del presupuesto oficial**. Puede tratarse de un determinado examen o de una inspección en el lugar del suceso.

Para fijar el importe de la fianza se tendrán en cuenta los gastos previstos. El tribunal pagará los derechos de los peritos una vez concluido su trabajo.

También deberá pagar a las instituciones especializadas que realicen informes periciales las facturas que presenten después de entregados dichos informes, utilizando para ello los fondos de la cuenta especial del tribunal abierta en un banco de la localidad donde tenga su sede. Cuando no se haya fijado fianza, los derechos de los peritos e instituciones especializadas deberán ser **reembolsados por la parte condenada en el juicio, o bien por ambas partes en función de los apartados de la demanda que hubieran sido aceptados y rechazados en la sentencia**. El **Ministerio de Justicia** determinará los importes máximos de dichos honorarios.

Honorarios de traductores e intérpretes

El tribunal deberá compensar a los traductores, por cada día que comparezcan ante el mismo, las pérdidas de ingresos derivadas de la imposibilidad de ejercer su profesión. Los traductores tienen derecho a una remuneración por su trabajo de traducción, y se les reembolsarán todos los gastos de viaje y alojamiento en que hayan incurrido por su comparecencia, además de dietas diarias correspondientes a su manutención. La parte que someta documentos a la consideración de tribunal solicitando su traducción a una lengua extranjera deberá pagar anticipadamente una fianza en la cuantía que determine el tribunal.

El tribunal pagará los honorarios de los traductores con cargo a los fondos del presupuesto oficial destinados a estos efectos, excepto cuando se trate de traducciones de documentos presentados por las partes. Los gastos correspondientes a los servicios de interpretación y traducción durante las audiencias judiciales se **abonarán con cargo al presupuesto oficial**. El Ministerio de Justicia ha establecido los importes máximos admisibles para estos servicios.

Documentos relacionados

[Informe de Lituania para el Estudio sobre transparencia de las costas](#)  (950 Kb) [en](#)

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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 Litas for a repeat copy of a court document, and 1 Litas for each page | The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds. |
| Case B | Foreign natural or legal persons are subject to the same conditions of exemption, reduction, deferral and scheduling of payments as apply to Lithuanian citizens. | The same as in the national situation | The same as in the national situation |

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

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

Costs for lawyer, bailiff and expert

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

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

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

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

| Case Study | Witness compensation | | Pledge or security | | Other fees | |
|------------|--|---------------------------------------|--|---|---|---|
| | Are witnesses compensated? | Cost | Does this exist and when and how is it used? | Cost | Description | Cost |
| Case A | Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case | See section on Experts' Fees above. | See section on Experts' Fees above. | The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas | Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable | See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on 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 the national situation | The same as in the national situation | The same as in the national situation | The same as in the national situation | The same as in the national situation | The same as in the national situation |

Costs for legal aid and other reimbursement

| Case study | Legal Aid | | |
|------------|--|--|--|
| | When and under what conditions is it applicable? | When is support total? | Conditions? |
| Case A | Primary legal aid can be claimed as described in the section on Legal Aid above. | 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. |

| | | | |
|---------------|---|---------------------------------------|---|
| | Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above. | | Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid. |
| Case B | The same as in the national situation | The same as in the national situation | The same as in the national situation |

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

Costs for translation and interpretation

| Case study | Translation | | Interpretation | | Other costs specific to cross-border disputes? | |
|------------|---|--|---|-------------------|--|-------------------|
| | When and under what conditions is it necessary? | Approximate cost? | When and under what conditions is it necessary? | Approximate cost? | Description | Approximate cost? |
| | | A party, whose court documents must be translated into a | | | | |

| | | | | | | |
|---------------|---|--|---|---|--|--|
| Case A | All the court documents and their annexures must be submitted to the court in the state language. | foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts. | People who do not speak the official language, are guaranteed the right to interpretation /translation services during the proceedings. | The court must pay the amounts due to interpreters/translators from the state budget funds. | | |
| Case B | The same as in the national situation | 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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Case study 2 - family law - custody of the children - Lithuania

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

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

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

Costs in Lithuania

Costs of court, appeals and alternative dispute resolution

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

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

Costs for lawyer, bailiff and expert

| Case Study | Lawyer | | Bailiff | | |
|------------|-------------------------------|---------------|-------------------------------|---------------------|--|
| | Is representation compulsory? | Average costs | Is representation compulsory? | Pre-judgement costs | Post-judgement costs |
| | | | | | No. Bailiffs play their role only after the issue of enforcement orders Enforcement costs: 60 Litas which bailiff can claim |

| | | | | | |
|---------------|---|--|-----------------------------------|-----------------------------------|--|
| Case A | Lawyer representation is not compulsory | See section on Legal Profession Fee Regulation above | No | No | in every execution case, 200 Litas for bailiff's salary, and other enforcement costs, depending on kind and quantity of execution actions. |
| Case B | The same as in national situation | The same as in national situation | The same as in national situation | The same as in national situation | The same as in national situation |

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

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

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

Costs for legal aid and other reimbursement

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

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

Costs for translation and interpretation

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

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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 in order to consider the following situations:

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

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

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

Costs in Lithuania

Costs for Court, Appeals and Alternative Dispute Resolution

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

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

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

Costs for lawyer, bailiff and expert

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

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

| Case Study | Expert | |
|------------|--|---|
| | Is use compulsory? | Cost |
| | 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 |

| | | |
|---------------|-----------------------------------|--|
| Case A | | litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds. |
| Case B | The same as in national situation | The same as in national situation |

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

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

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

Costs for legal aid and other reimbursement

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

| Case study | Reimbursement | | | |
|-------------------|---|--|---|--|
| | Can the winning party obtain reimbursement of litigation costs? | If reimbursement is not total what is percentage in general? | What costs are never reimbursed? | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
| Case A | The winning party can obtain reimbursement of litigation costs from the losing party. | Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. | 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. |

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

Costs for translation and interpretation

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

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

Costs for lawyer, bailiff and expert

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

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

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

| Case Study | Witness compensation | | Pledge or security | |
|------------|----------------------|--|--------------------|--|
| | | | | |

| | Are witnesses compensated? | Cost | Does this exist and when and how is it used? | Cost |
|---------------|--|-------------------------------------|--|---|
| Case A | Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case | See section on Experts' Fees above. | See section on Experts' Fees above. | The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Lit |
| 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' Fees 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 |
|---------------|---|--|
| | When and under which conditions is it applicable? | Can the winning party obtain reimbursement of litigation costs? |
| Case A | Legal Aid is not applicable. | The winning party can obtain reimbursement of litigation costs from the losing party |
| Case B | | |

Costs for translation and interpretation

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

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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 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 for expenses of the curator's work; 6) other necessary and reasonable expenses |

Costs for lawyer, bailiff and expert

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

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

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

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

| Case Study | Other fees | |
|------------|--|--|
| | Description | Cost |
| Case A | Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court | See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. |

| | | |
|---------------|--|--|
| | judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable | 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 | | |

Costs for legal aid and other reimbursement

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

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

| | | | |
|---------------|---------------------|--|---|
| | | | Where the costs of secondary legal aid must be recovered, the state must be represented by the service. |
| Case B | Same as in a Case A | | Same as in a Case A |

Costs for translation and interpretation

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

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