ANNEX 1

- <u>Results of the public questionnaire</u>

1. QUESTIONNAIRE LAWYER FEES

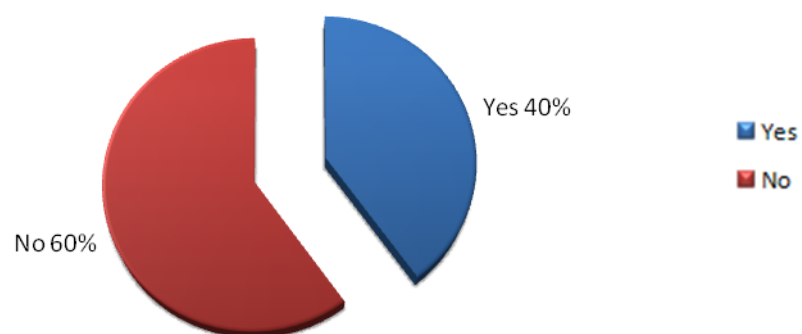*The European statistics below have been calculated from the average of answers obtained in every Member State.*
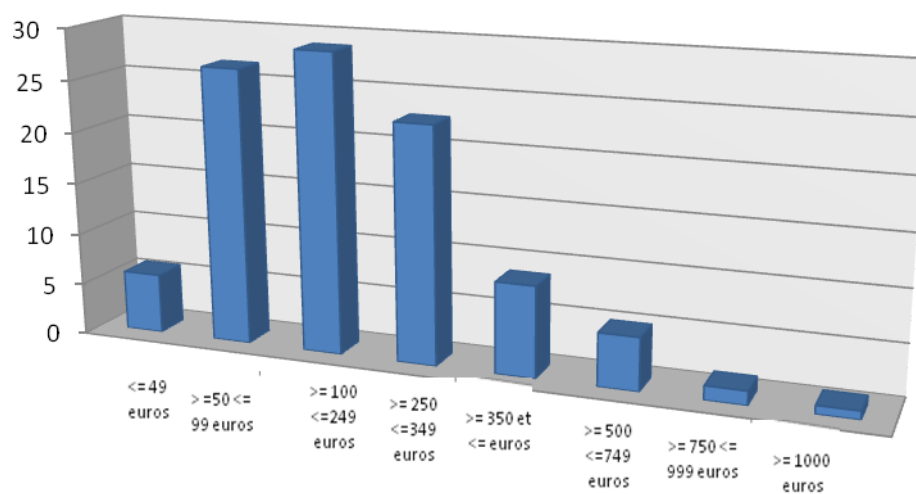
So, if answers to question n°1 are yes or no, the European average of yes = [(number of yes from the country n1 / total number of answer of the country n2) + (number of yes from the country n2 / total number of answer of the country n2) +] / 27
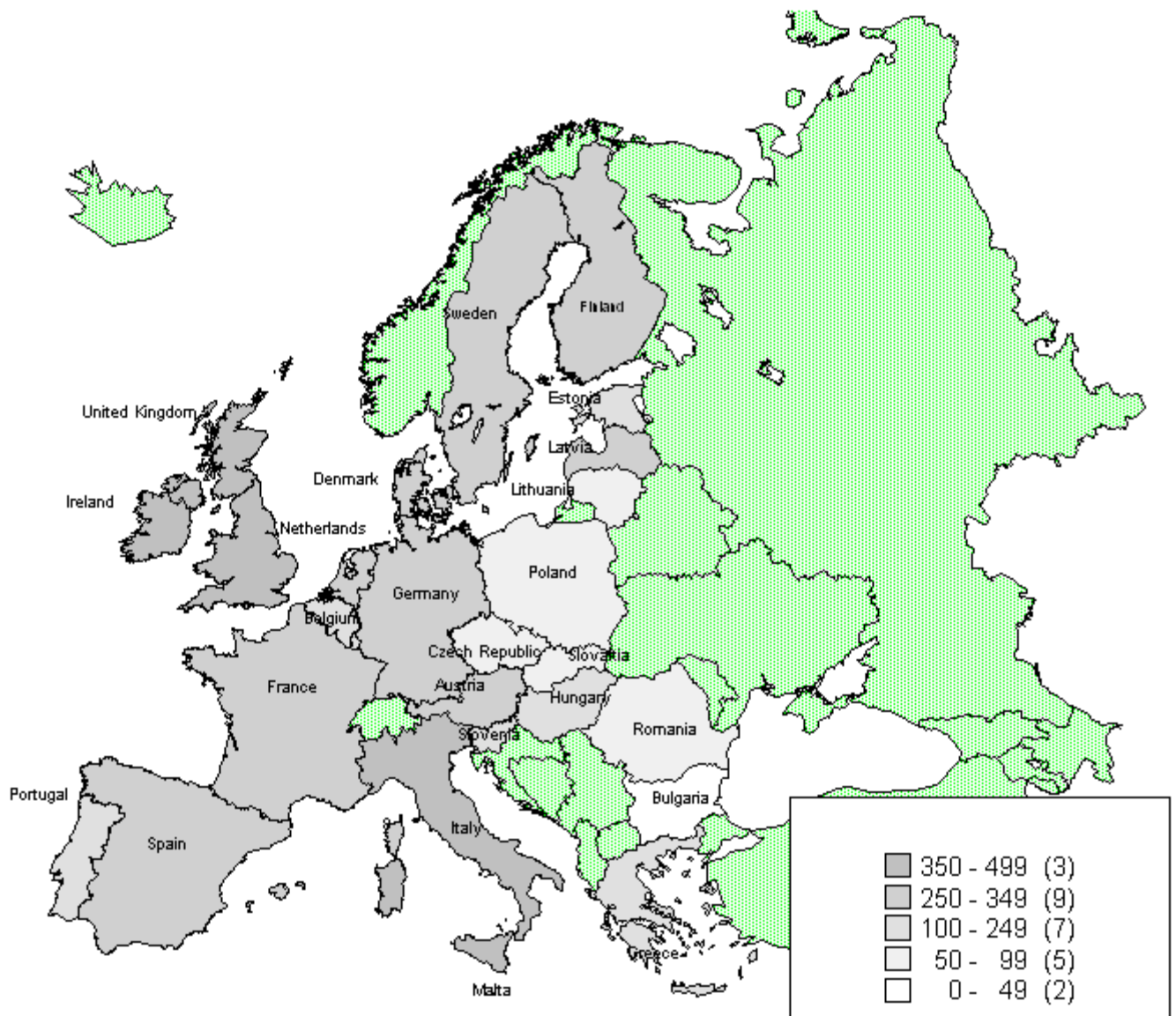
Are there instances where you can be represented by a third party or yourself?

No 3%

- Yes
- No

Yes 97%

Who determines the lawyer's fees?

Other
3%

The State
29%

The lawyer
52%

A professional organization
16%
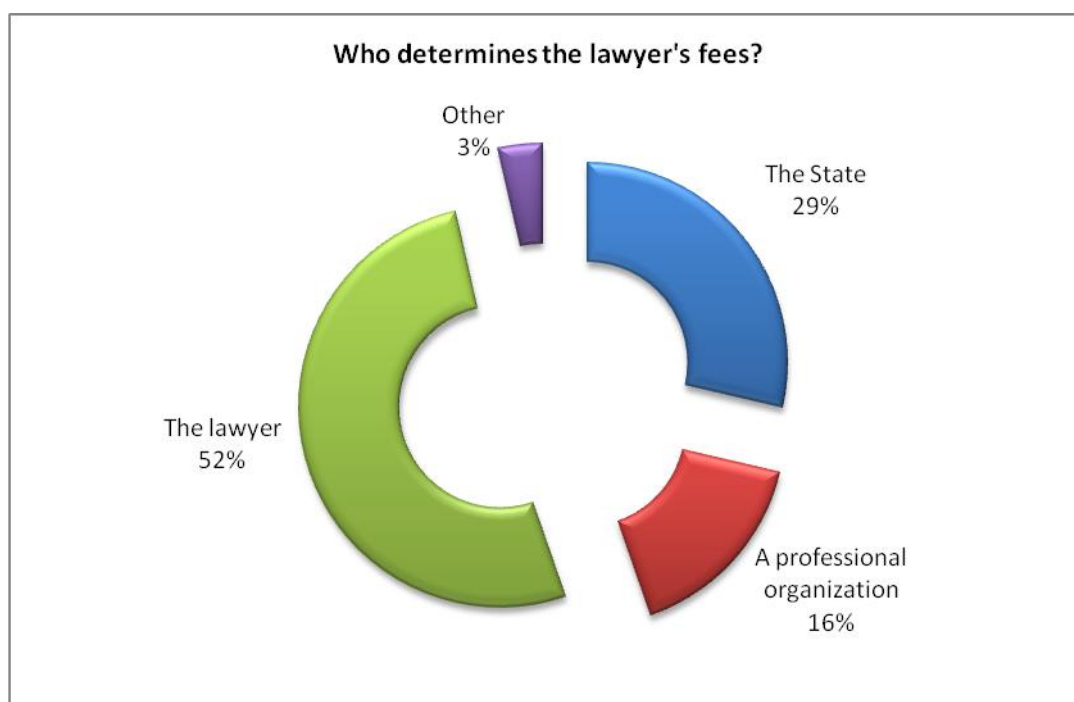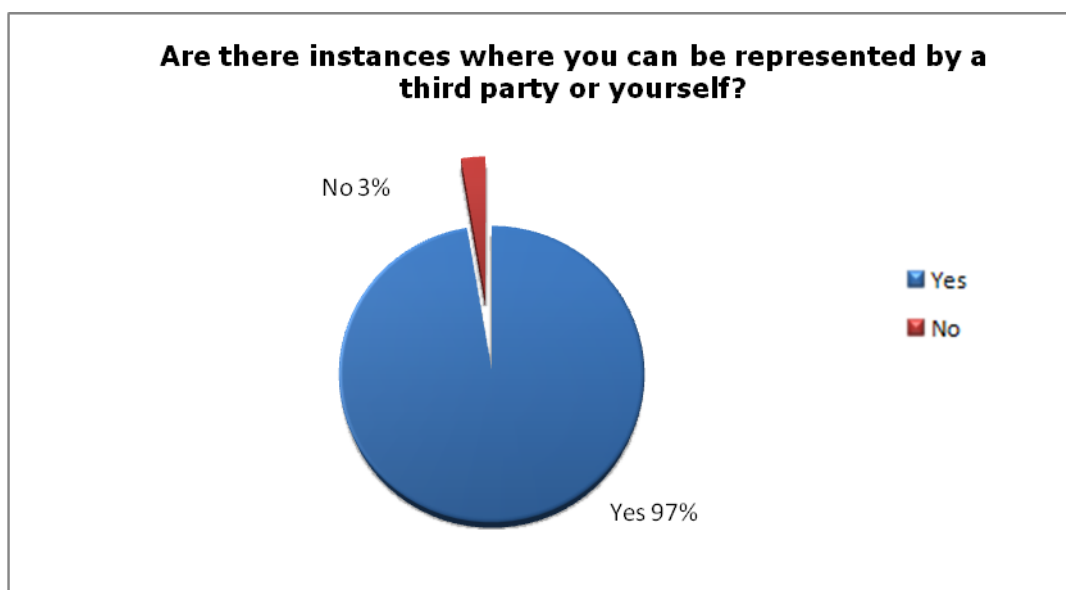
Are lawyers' fees organised according to a schedule ?

Yes 40%

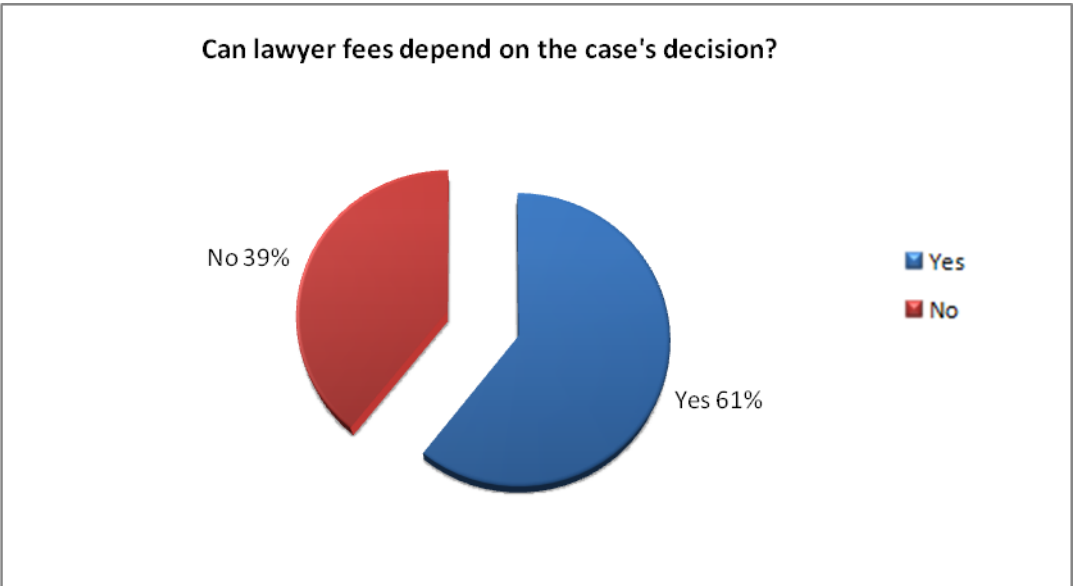No 60%
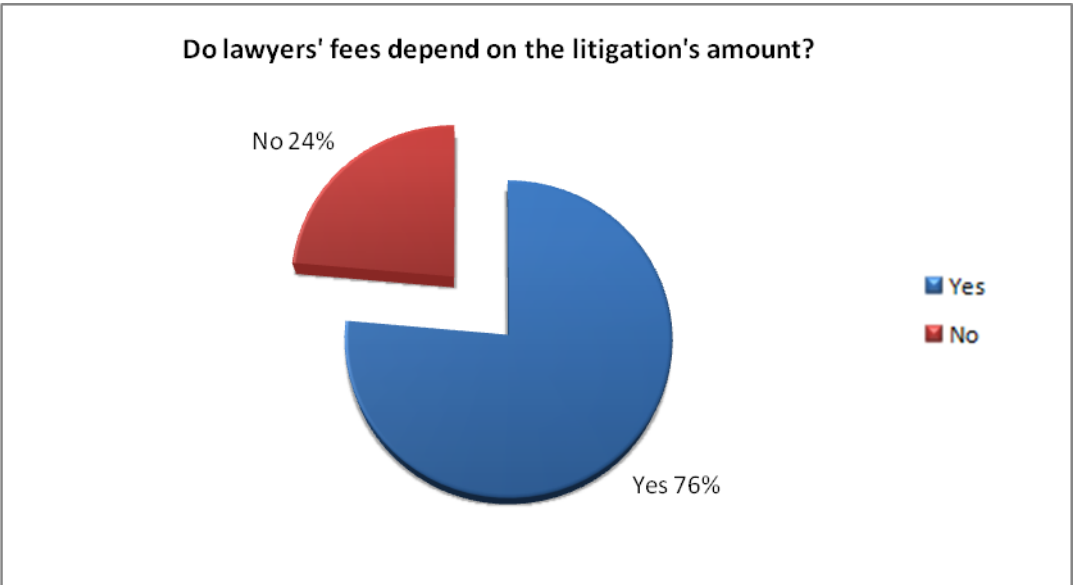
Yes
No

What are the average lawyers' fees on a per hour basis (before tax)?

<=49 euros / >=50 <=99 euros / >=100 <=249 euros / >=250 <=349 euros / >=350 et <= euros / >=500 <=749 euros / >=750 <=999 euros / >=1000 euros

Average level of fees

Legend:

	Range	Count
	350 - 499	(3)
	250 - 349	(9)
	100 - 249	(7)
	50 - 99	(5)
	0 - 49	(2)

Is VAT applicable?

No 11%

Yes 89%

- Yes
- No

Do lawyers' fees depend on the litigation's amount?

No 24%

Yes 76%

- Yes
- No

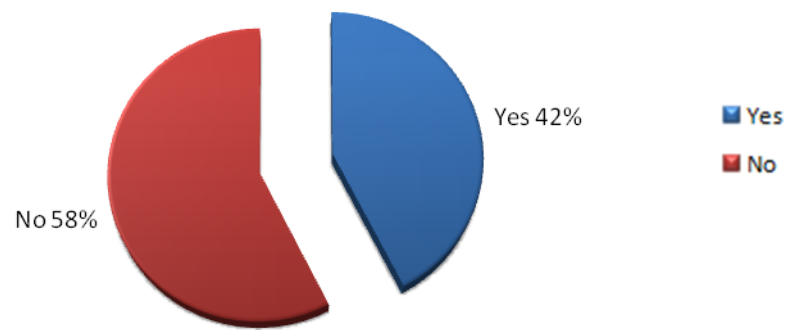**Can lawyer fees depend on the case's decision?**

No 39%

Yes 61%

- Yes
- No
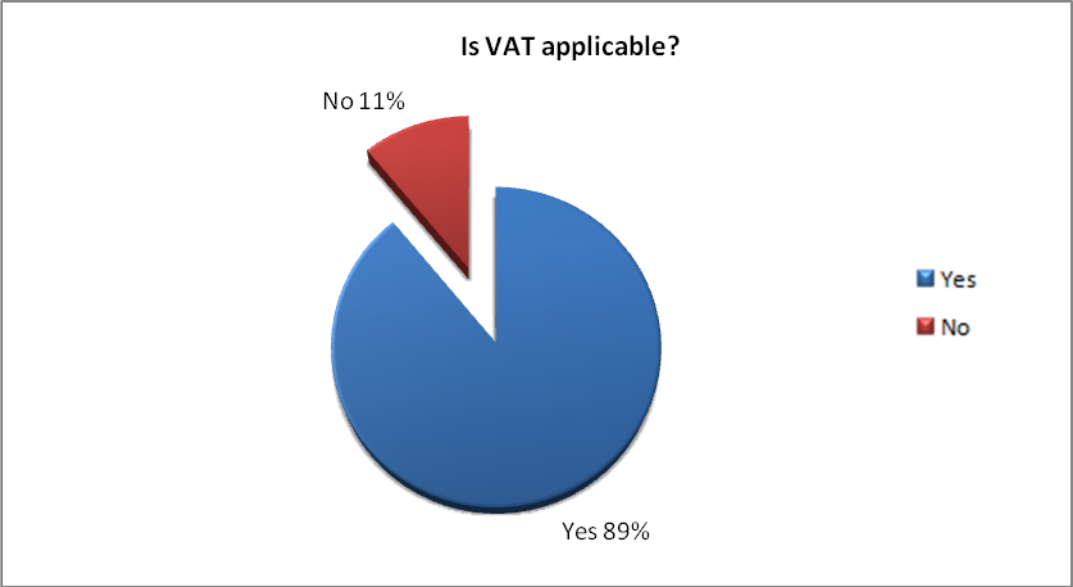
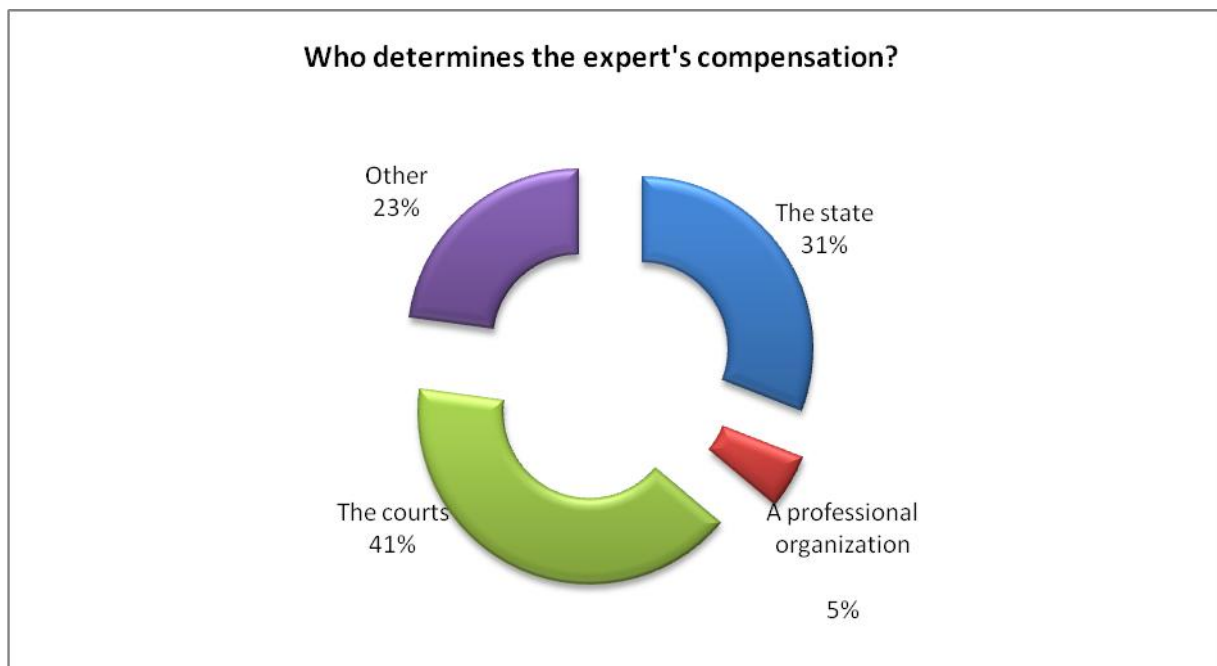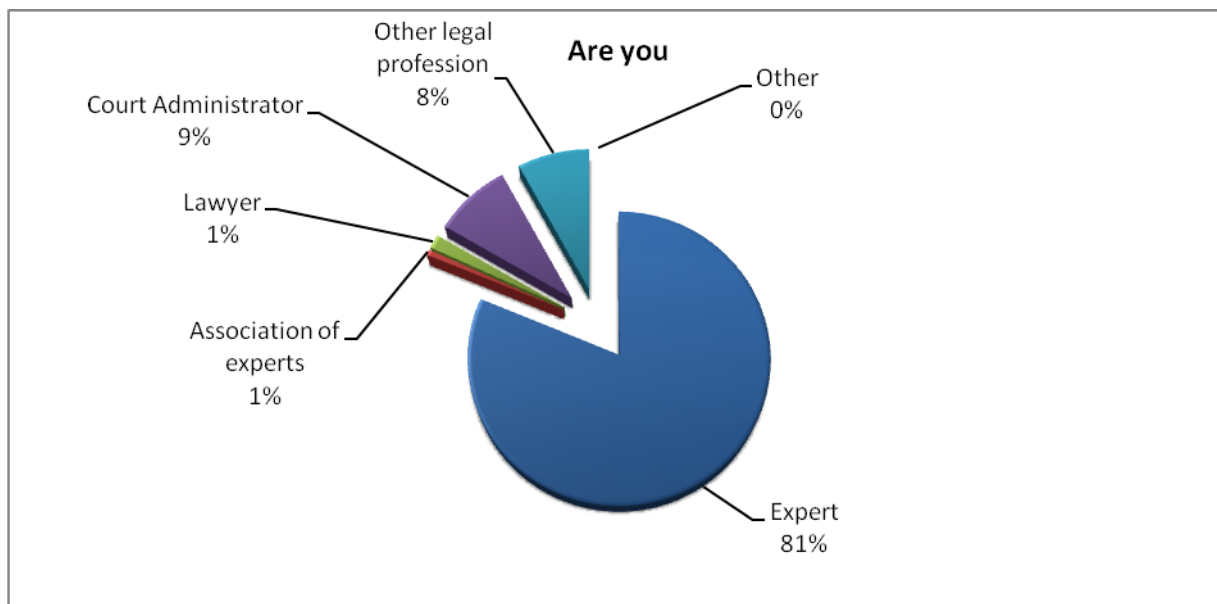**Are there any cases where the lawyers' fees are paid for by the court?**

Yes 42%

No 58%

Yes

No

In the case of a favourable decision for the party that has paid the lawyers fees, can the court order the losing party to pay for these fees?
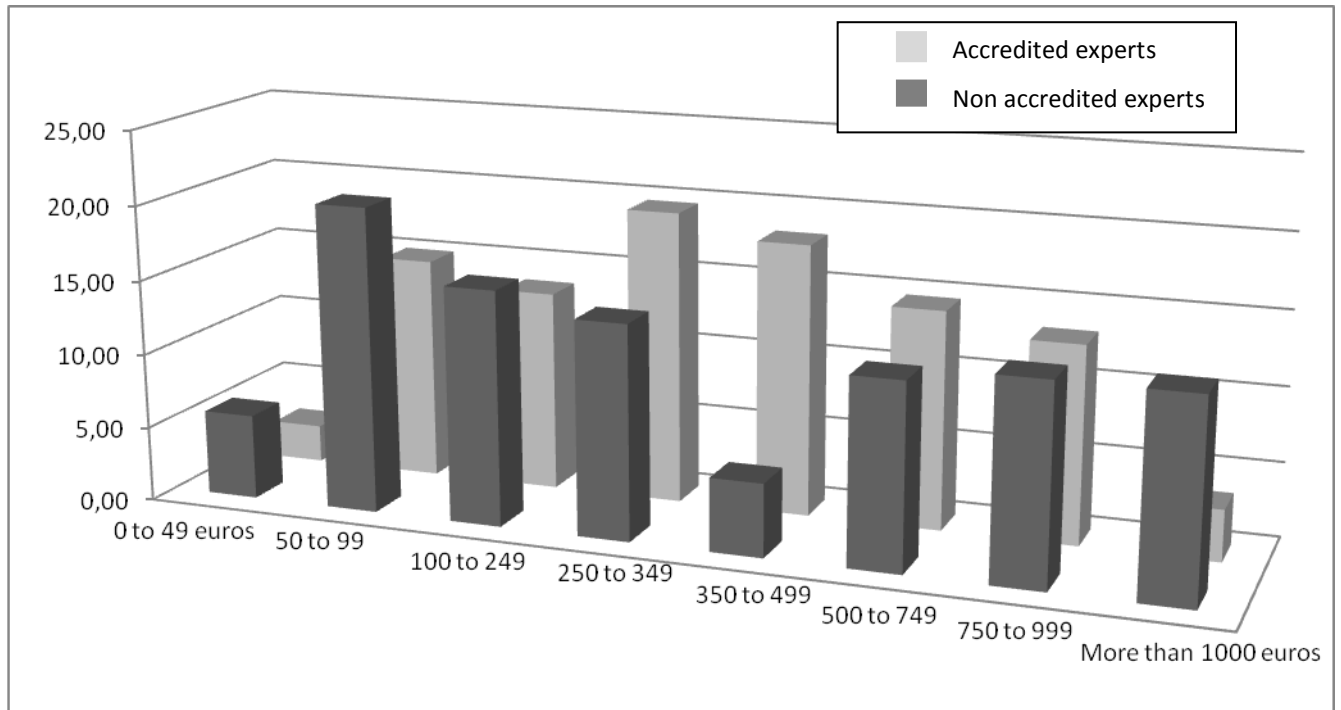
No 9%

Yes 91%

Yes

No
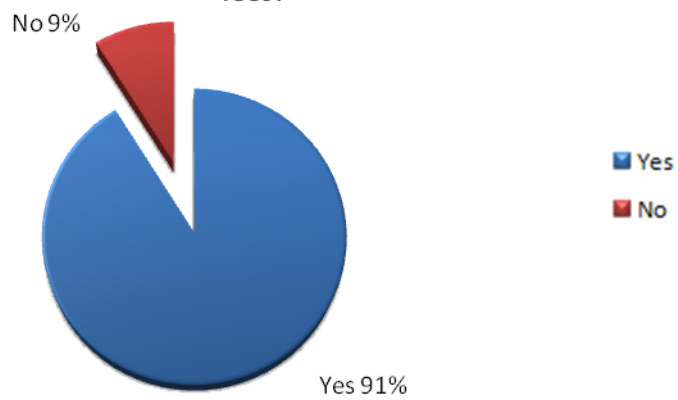
2. QUESTIONNAIRE EXPERTS

The European statistics below have been calculated from the average of answers obtained in every Member State.

So, if answers to question n°1 are yes or no, the European average of yes = [(number of yes from the country n1 / total number of answer of the country n2) + (number of yes from the country n2 / total number of answer of the country n2) +] / 27

Are you

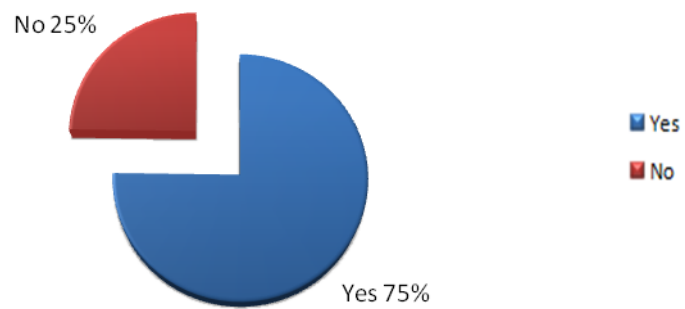- Other legal profession 8%
- Court Administrator 9%
- Lawyer 1%
- Association of experts 1%
- Other 0%
- Expert 81%

Who determines the expert's compensation?

- Other 23%
- The state 31%
- The courts 41%
- A professional organization 5%

What is the average amount of these fees for accredited experts and non accredited experts?

Is VAT applicable to these fees?

No 25%

Yes 75%

Yes
No

Do the fees depend on the nature of the litigation for a non accredited expert?

Yes 21%

No 79%

Yes
No
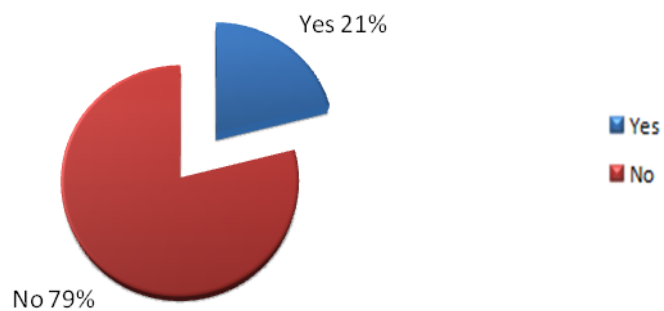
Are there any cases where the expert fees are paid for by the court?

Yes 43%

No 57%

Yes
No
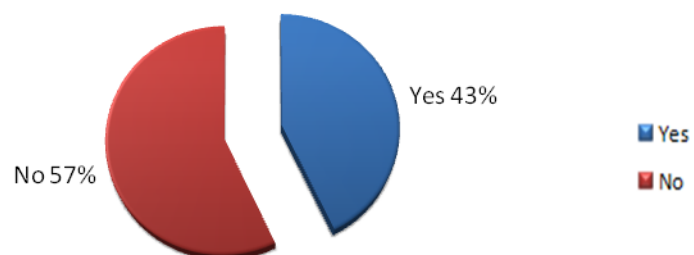
Are there any cases where the expert fees are borne by legal aid organizations?

Yes 38%

No 62%

- Yes
- No
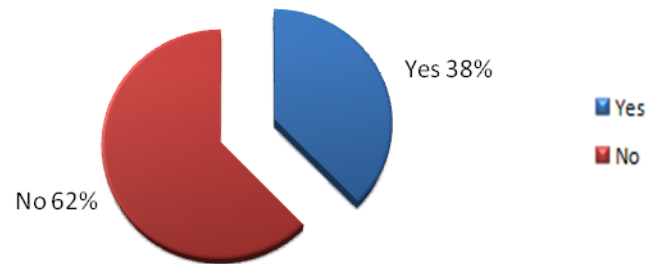
Can a person entitled to legal aid claim the partial or total assistance in respect to legal expert fees?

No 25%

Yes 75%

- Yes
- No
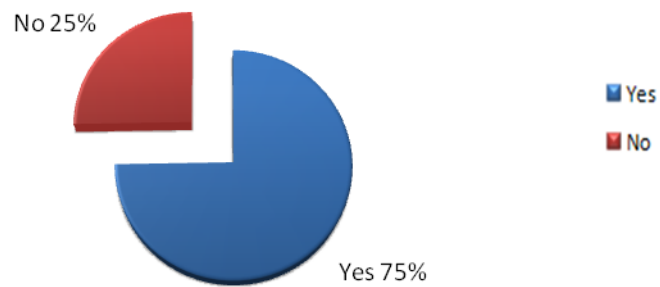
In the case of a favourable decision for the party that has paid the expert fees, can the court order the losing party to pay for these fees?

No 1%

Yes 99%

- Yes
- No
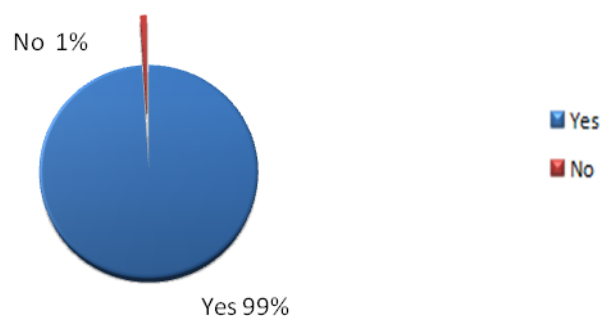
Is an expert's report produced by an accredited expert of a country accepted in all the EU Member States?
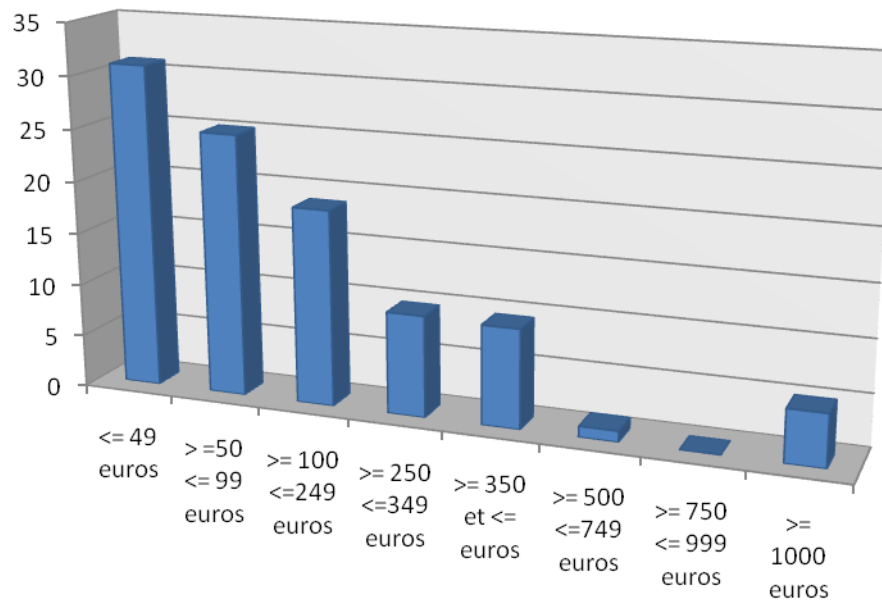
No 51%

Yes 49%

- Yes
- No

3. QUESTIONNAIRE BAILIFF FEES

The European statistics below have been calculated from the average of answers obtained in every Member State.

So, if answers to question n°1 are yes or no, the European average of yes = [(number of yes from the country n1 / total number of answer of the country n2) + (number of yes from the country n2 / total number of answer of the country n2) +] / 27
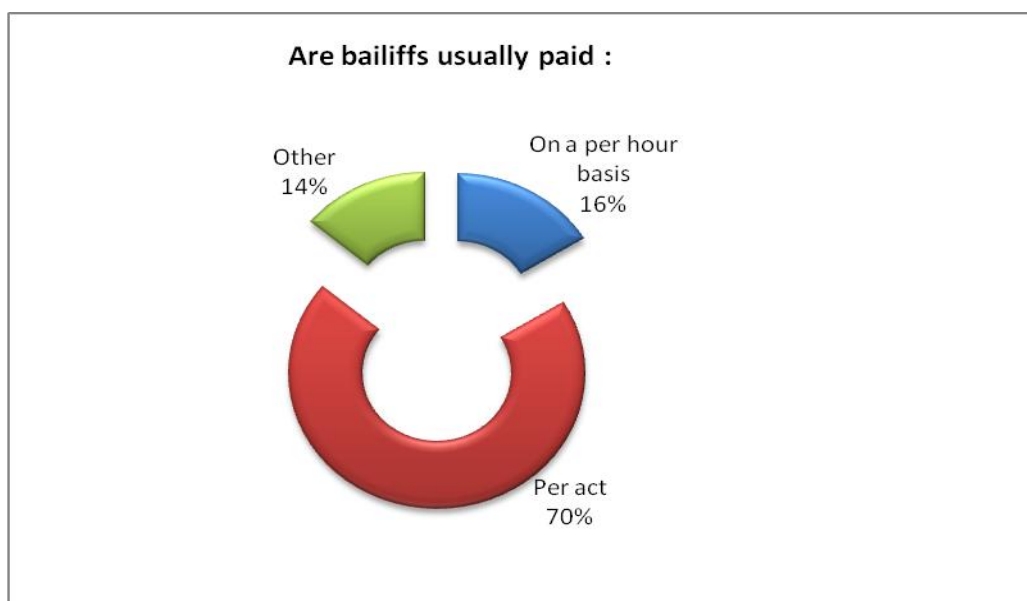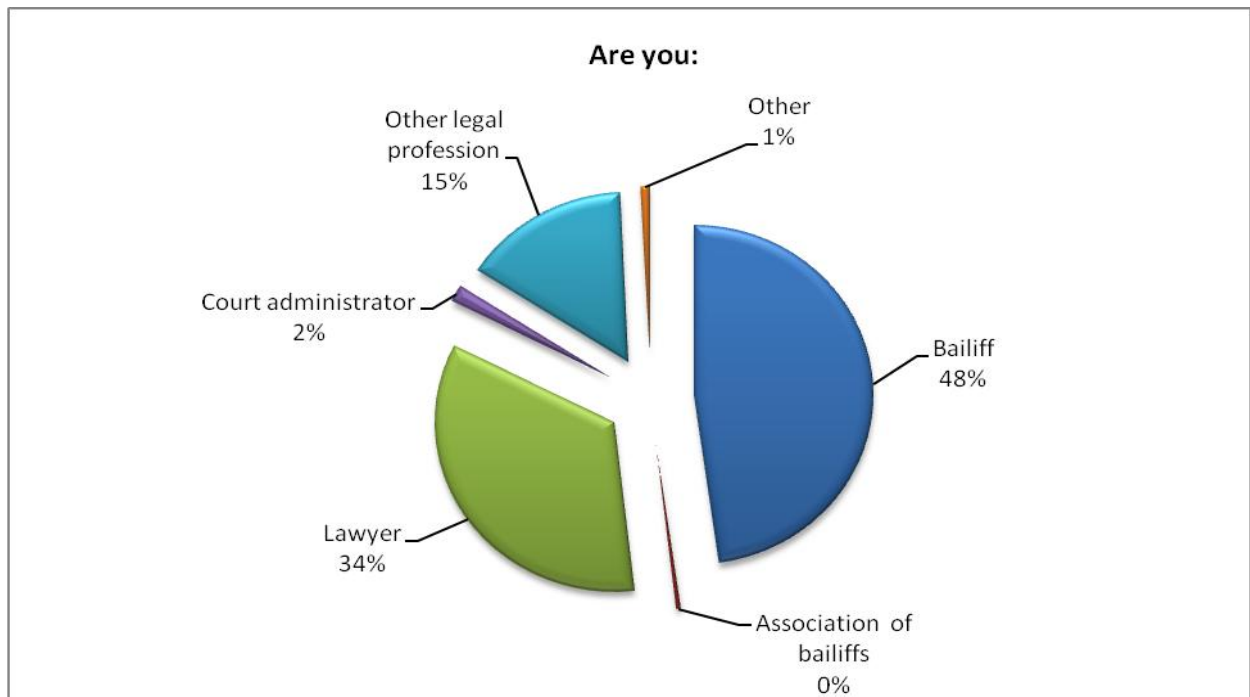
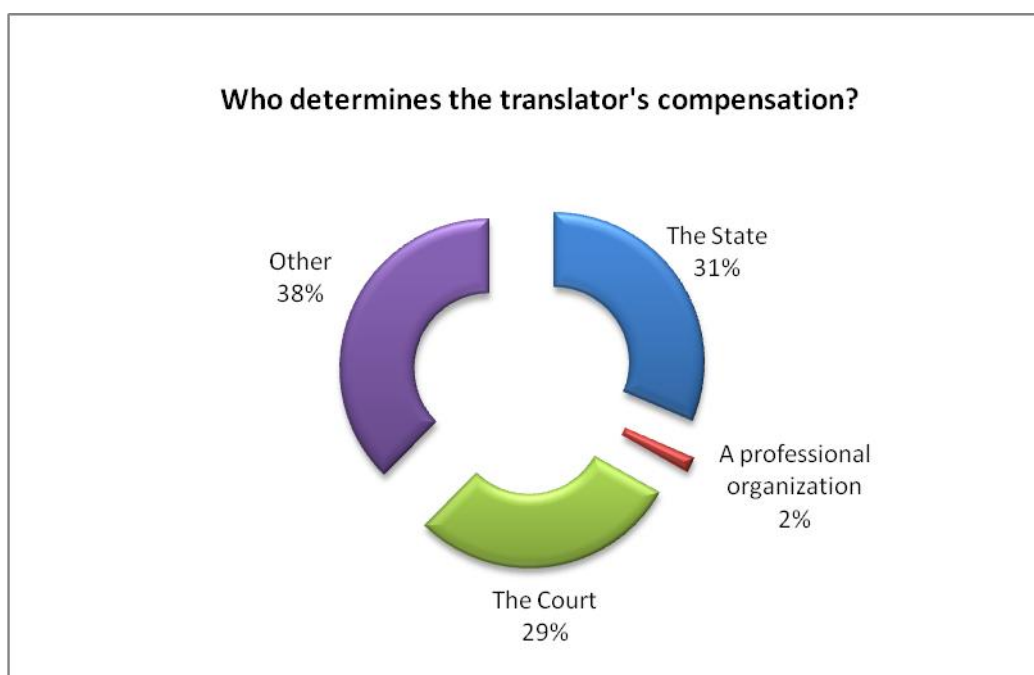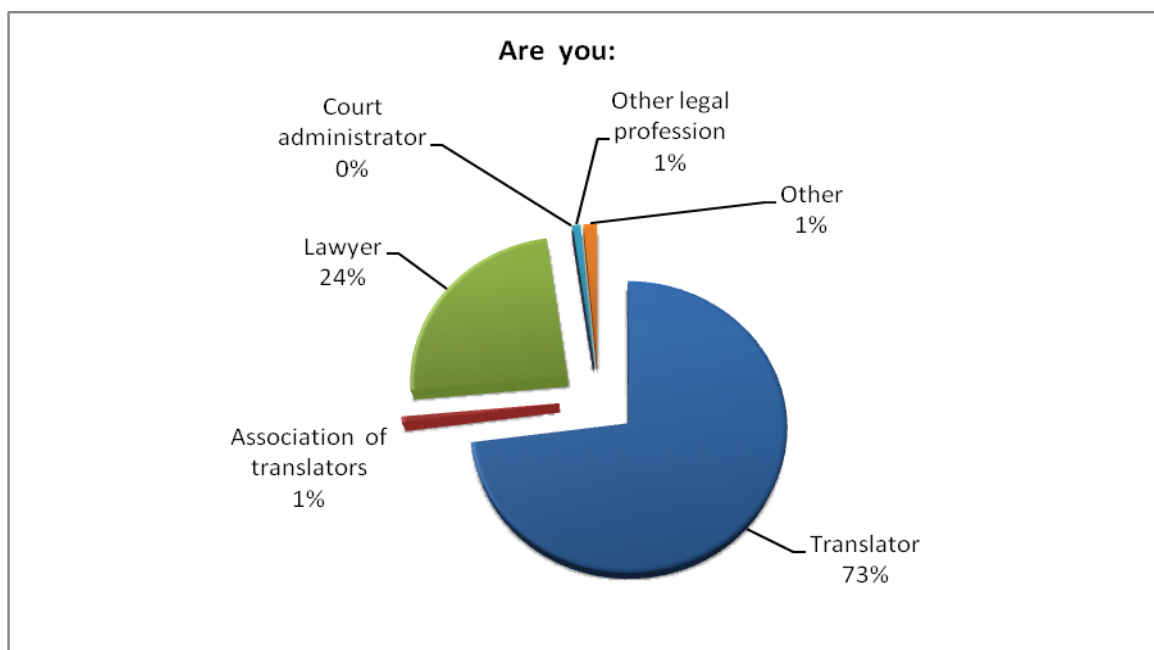## What is the average cost of a bailiff intervention?
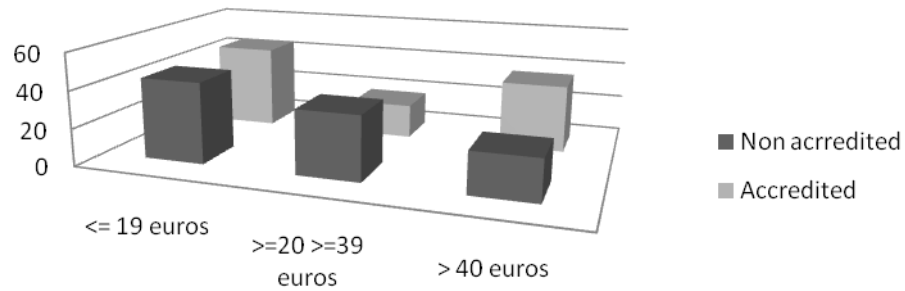

Is VAT applicable?

4. QUESTIONNAIRE TRANSLATORS FEES

The European statistics below have been calculated from the average of answers obtained in every Member State.
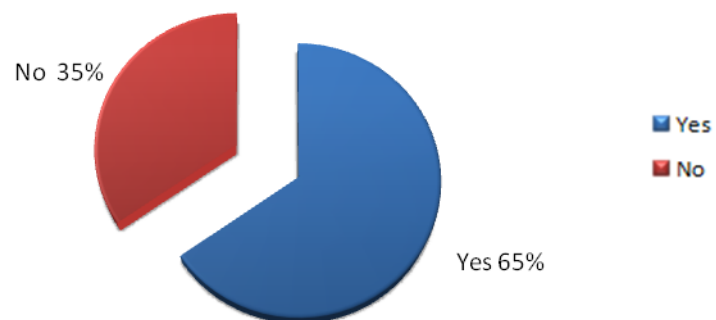
So, if answers to question n°1 are yes or no, the European average of yes = [(number of yes from the country n1 / total number of answer of the country n2) + (number of yes from the country n2 / total number of answer of the country n2) +] / 27

Are you:

- Court administrator 0%
- Other legal profession 1%
- Other 1%
- Lawyer 24%
- Association of translators 1%
- Translator 73%

Who determines the translator's compensation?

- Other 38%
- The State 31%
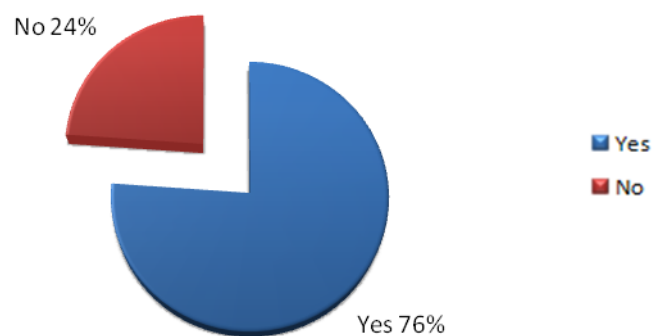- A professional organization 2%
- The Court 29%

What is the average amount of translation fees on a per page basis (before tax)?

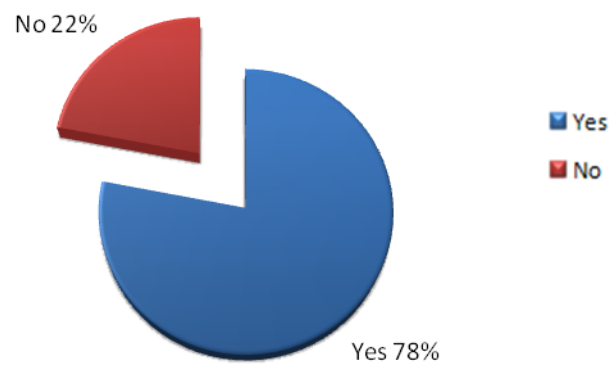## Does an accredited translator is necessary in court proceedings?

No 35%

Yes 65%

Are there any cases where the translation fees are automatically paid for by the State?

No 24%

Yes 76%

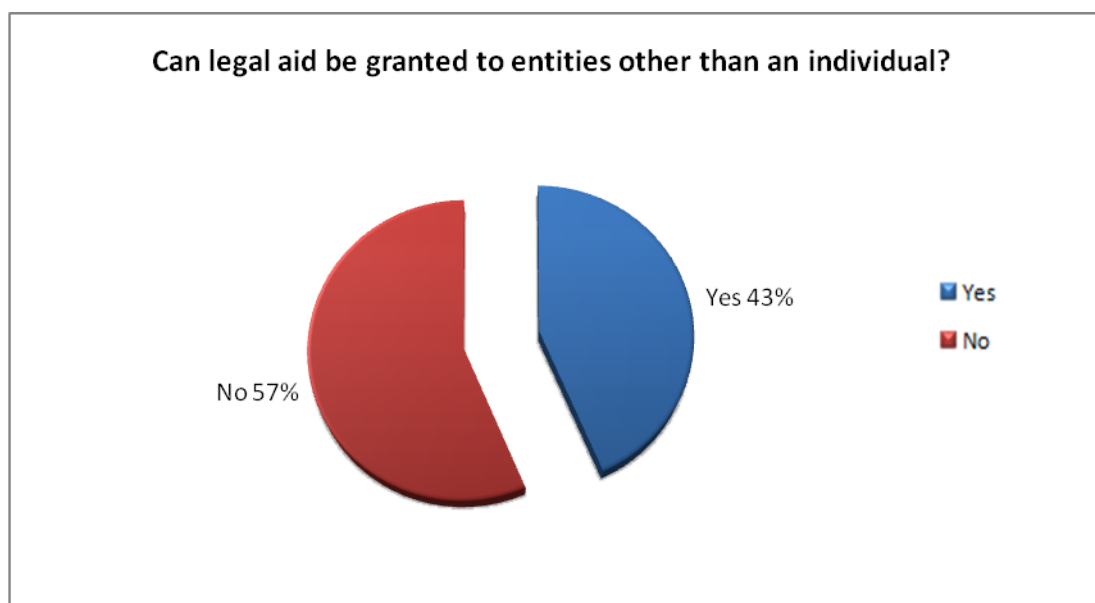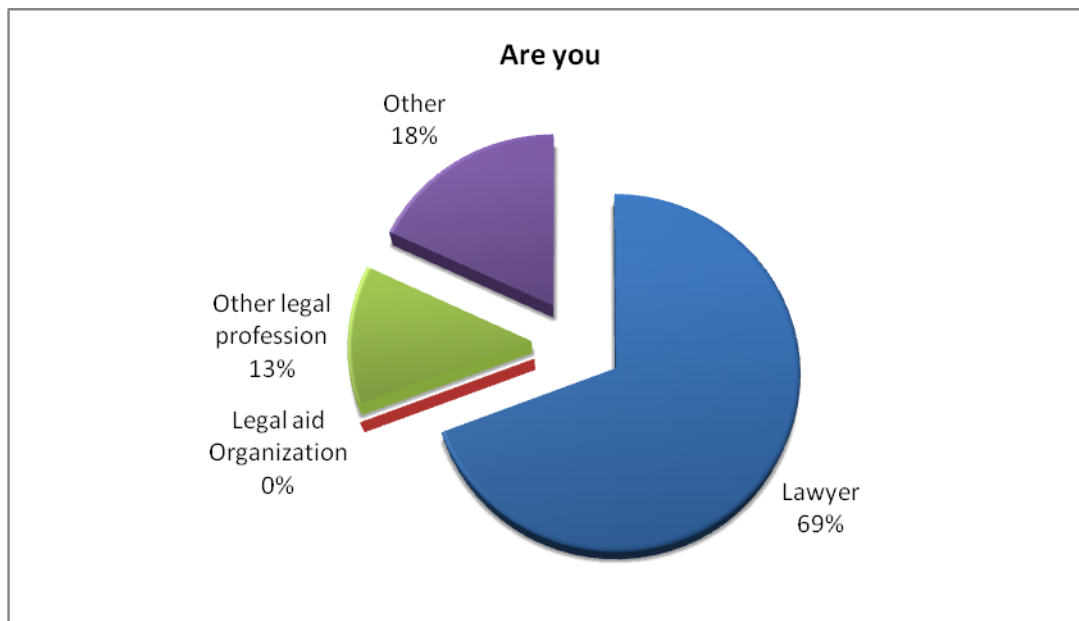**Are there any cases where the translation fees are borne by legal aid organizations?**

No 44%

Yes 56%

- Yes
- No

Can translation fees be reimbursed to the winning party?

No 22%

Yes 78%

- Yes
- No

5. QUESTIONNAIRE LEGAL AID

The European statistics below have been calculated from the average of answers obtained in every Member State.

So, if answers to question n°1 are yes or no, the European average of yes = [(number of yes from the country n1 / total number of answer of the country n2) + (number of yes from the country n2 / total number of answer of the country n2) +] / 27

Are you

- Other 18%
- Other legal profession 13%
- Legal aid Organization 0%
- Lawyer 69%

Can legal aid be granted to entities other than an individual?


- Yes 43%
- No 57%

Is legal aid granted to nationals involved in a cross-border case and where the competent court is located in another Member State than the Member State of residence of the national and of the legal aid organism ?
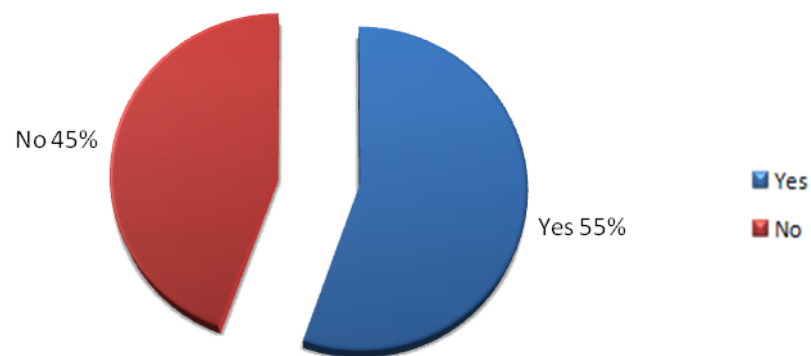
No 30%

Yes 70%

- Yes
- No
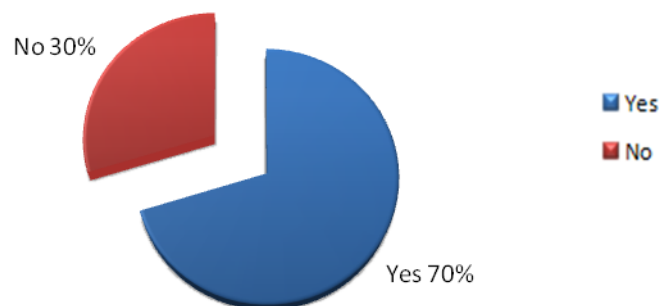
If yes, are there special procedures facilitating access to legal aid by entities or persons from other Member States (translation of forms, payment facilities etc...)
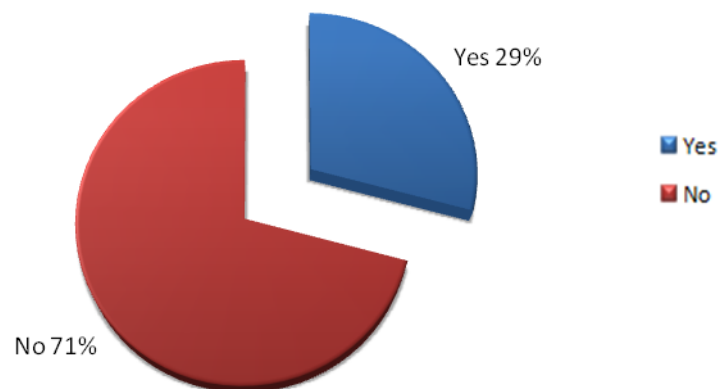
No 47%

Yes 53%

- Yes
- No
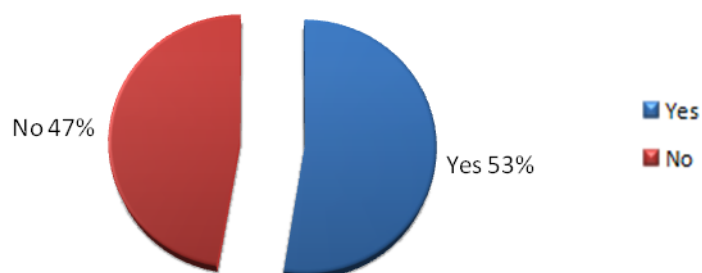
Is the decision to grant legal aid is subject to judicial review?

No 23%

Yes 77%

- Yes
- No
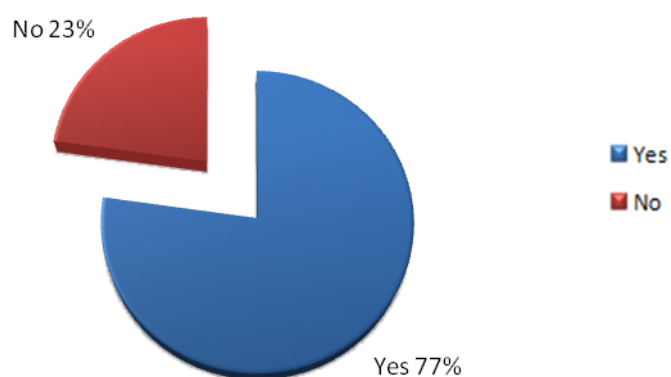
Are there automatic rights to legal aid?

No 45%

Yes 55%

- Yes
- No

Are there subject matters not covered by legal aid?

Yes 29%

No 71%

- Yes
- No

Does legal aid also cover the enforcement of court decisions?

No 14%

Yes 86%

- Yes
- No
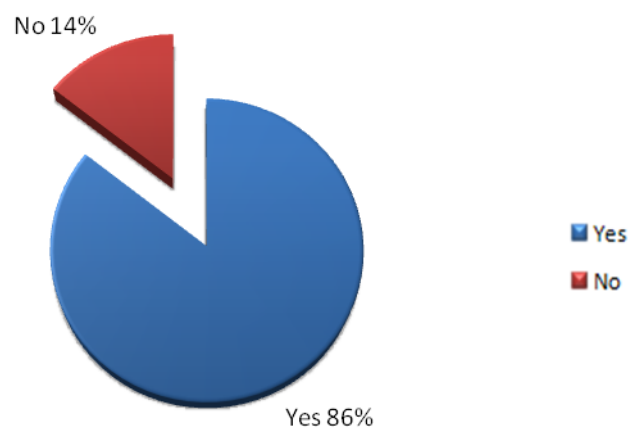
Can legal aid cover ADR proceedings?

No 50% Yes 50%

Yes
No
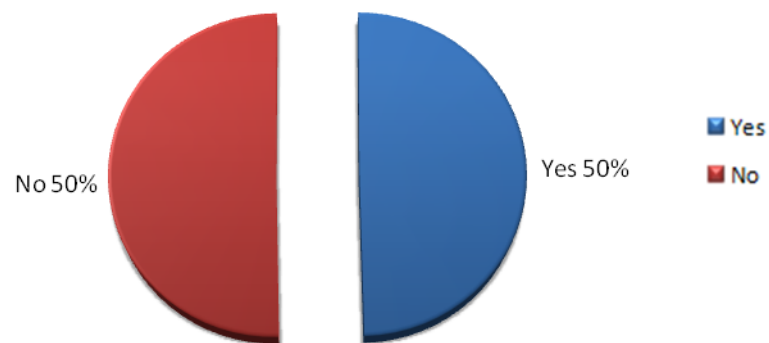
Does legal aid cover the enforcement of ADR decisions?

No 42% Yes 58%

Yes
No
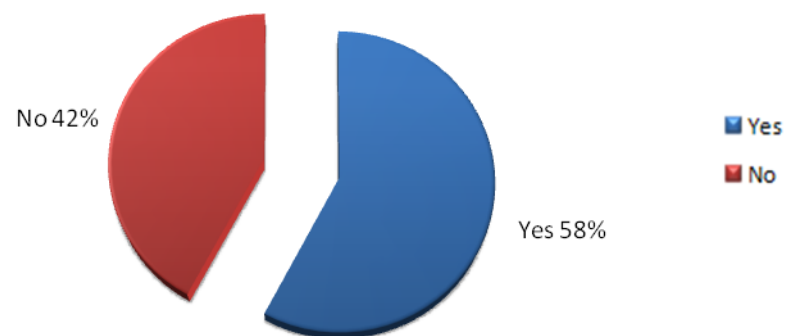
When legal aid is granted in a case, will it be renewed if the lower court's decision is appealed?

No 26% Yes 74%

Yes
No
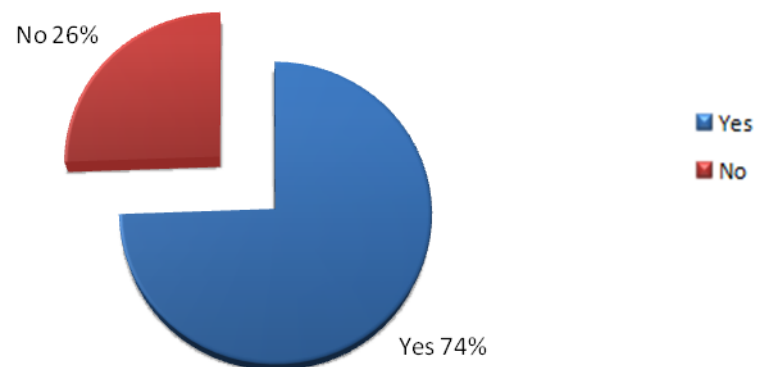
When legal aid is granted at the beginning of a trial, can it be withdrawn during the trial?

No 18%

Yes 82%

Yes
No