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Case Study 3 – Family law – Maintenance – Germany

Costs in Germany

Costs of proceedings at first instance or appeal

| | | |
|------------|--|--|
| Case study | Proceedings at first instance | Appeal |
| | Initial court fees | Initial court fees |
| Case A | Depends on amount of maintenance claimed | Depends on amount of maintenance claimed |
| Case B | Depends on amount of maintenance claimed | Depends on amount of maintenance claimed |

Lawyer, bailiff and expert fees

| Case study | Lawyer Is there a requirement for legal representation? | Average costs | Bailiff Is there a requirement for a bailiff to be involved? | Costs following judgment | Expert Is there a requirement to call an expert? | Costs |
|------------|--|--|---|--|---|--|
| Case A | Yes | Depends on amount of maintenance claimed | No | Depends on type of enforcement measure | At the court's discretion | Based on hourly rates. Levels vary according to area of activity, but the maximum rate is EUR 100, plus expenses and VAT |
| Case B | Yes | Depends on amount of maintenance claimed | No | Depends on type of enforcement measure | At the court's discretion | Based on hourly rates. Levels vary according to area of activity, but the maximum rate is EUR 100, plus expenses and VAT |

Cost of covering witnesses' expenses

| | | |
|------------|--|--|
| Case study | Witnesses' expenses | Costs |
| | Are witnesses entitled to reimbursement of their expenses? | Up to EUR 17 per hour for earnings lost plus travel and other expenses |
| Case A | Yes | |

| | | |
|--------|-----|--|
| Case B | Yes | Up to EUR 17 per hour for earnings lost plus travel and other expenses |
|--------|-----|--|

Costs of legal aid and reimbursement of other expenses

| Case study | Legal aid | Reimbursement | |
|------------|--------------------------------|---|---|
| | What are the conditions? | Can the prevailing party request the award of litigation costs? | Are there instances where legal aid must be paid back? |
| Case A | Depending on income and assets | Yes | If the person's income and financial situation improve and in the case of payment by instalments. |
| Case B | Depending on income and assets | Yes | If the person's income and financial situation improve and in the case of payment by instalments. |

Translation and interpretation costs

| Case study | Translation | Approximate cost | Interpretation | Approximate cost | Description | Are there other costs relating to cross-border disputes? |
|------------|--|---|---|--|-----------------------------------|--|
| | When and on what conditions is translation required? | | When and on what conditions is interpretation required? | | | |
| Case A | | Generally EUR 1.55 per 55 characters, plus expenses and VAT | | | | |
| Case B | At the court's discretion | | At the court's discretion | EUR 70 per hour, plus expenses and VAT | Costs of serving documents abroad | |

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