

## Case study 1 - family law - divorce - Romania

NOTE - 1.The answers pertaining to all the case studies were provided assuming that the claim is made in the Romanian courts 2. For better comprehension, the calculation of costs took into account the following hypothetical currency rate - EUR 1 = RON 4 (Romanian currency).

## Costs in Romania

### Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court	Initial court fees	Transcription fees	Other fees	Appeals Initial court fees
Case A		<p>RON 39.3 (approximately EUR 10) comprising RON 39 (court fee) and RON 0.3 (stamp duty) Exception - RON 8.3(approximately EUR 2) comprising RON 8 (court fees) and RON 0.3 (stamp duty), if the party does not have an income or the income is lower than the minimum national gross salary</p>	<p>In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks) photocopying charges (varying between EUR 0.05 and EUR 1.25 per copy) must be paid</p>	<p>Legalisation - atestation in order to obtain an authenticated court decision - RON 2.15 (approximately EUR 0.5) comprising RON 2 (court fee) and RON 0.15 (stamp duty) Supralegalisation - RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) - only if it is necessary for the party</p> <p>Legalisation -Attestation in order to obtain an authenticated court decision - RON 2.15 (approximately EUR 0.5) comprising RON 2 (court fee) and RON 0.15 (stamp duty) Supralegalisation - RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) only if it is necessary for the party</p>	<p>The decision cannot be appealed in this case, as the divorce is agreed by both parties</p>
Case B		<p>RON 39.3 (approximately EUR 10) comprising RON 39 (court fee) and RON 0.3 (stamp duty) Exception - RON 8.3(approximately EUR 2) comprising RON 8 (court fees) and RON 0.3 (stamp duty) if the party does not have an income or the income is lower than the minimum national gross salary</p>	<p>In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), photocopying costs (varying between EUR 0.05 and EUR 1.25 per each copy) must be paid</p>	<p>Legalisation - atestation in order to obtain an authenticated court decision - RON 2.15 (approximately EUR 0.5) comprising RON 2 (court fee) and RON 0.15 (stamp duty) Supralegalisation - RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) only if it is necessary for the party</p>	<p>The decision cannot be appealed in this case, as the divorce is agreed by both parties.</p>

### Case Study ADR

Case Study	Is this option open for this type of case?	Costs
Case A	Yes	Costs are provided for in the mediation contract, as agreed by the parties and the mediator
Case B	Yes	Costs are provided for in the mediation contract, as agreed by the parties and the mediator

## Costs for lawyer, bailiff and expert

Case Study	Lawyer Is representation compulsory?	Average costs Variable costs depending on the legal assistance contract Not applicable in this case, as representation is not compulsory	Bailiff Is representation compulsory?	Pre-judgment costs	Post-judgment costs
Case A	NO	Variable costs depending on the legal assistance contract Not applicable in this case, as representation is not compulsory	NO	Not applicable in this case	Not applicable in this case
Case B	NO	Variable costs depending on the legal assistance contract Not applicable in this case, as representation is not compulsory	NO	Not applicable in this case	Not applicable in this case

  

Case Study	Expert Is use compulsory?	Cost
Case A	NO	Not applicable in this case
Case B	NO	Not applicable in this case

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

Case Study	Witness compensation Are witnesses compensated? Yes. However, this case does not require witnesses.	Cost	Pledge or security Does this exist and when and how is it used?	Cost
Case A	Yes. However, this case does not require witnesses.	Not applicable in this case	Not applicable in this case	Not applicable in this case
Case B	Yes. However, this case does not require witnesses.	Not applicable in this case	Not applicable in this case	Not applicable in this case

## 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	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached
Case B	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached

Case study	Reimbursement			Are there instances when legal aid should be reimbursed to the legal aid organisation?
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	
Case A	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	NO
Case B	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	NO

## Costs for translation and interpretation

Case study	Translation	
	When and under which conditions is it necessary?	Approximative cost?
Case A	Not applicable in this case	Not applicable in this case.
Case B	When documents submitted to the court (part of the case dossier) are written in another language	The costs may vary according to the translation contract or, if the translation is performed by an authorised translator at the court's request, a fee of RON 33.56 (approximately EUR 8) per page in A4 format should be paid

Case study	Interpretation	Other costs specific to cross-border disputes?	Approximative cost?
	When and under which conditions is it necessary?	Description	Approximative cost?
	When the party who should be heard by the court is deaf or mute, or does not know how to write.		
Case A	RON 23.15 per hour (approximately EUR 6)	-	-
Case B	If at least one of the parties does not speak Romanian. RON 23.15 per hour (approximately EUR 6)	Yes, but are supported by the state	-

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