

Case study 3 - family law - alimony - Romania

Costs in Romania

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	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid	1. 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) 2. Investing the court decision with an enforceable formula - RON 4.15 (approximately EUR 1) comprising RON 4 (court fee) and RON 0.15 (stamp duty) 3. Supra-legalisation - 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	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid	-

Case Study Court

Appeals

		1. 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)	
		2. Investing the court decision with an enforceable formula - RON 4.15 (approximately EUR 1) comprising RON 4 (court fee) and RON 0.15 (stamp duty)	
	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid	3. Supra-legalisation - 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	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid
Case B	No court fees		No court fees

Case study ADR

Is this option open for this type of case?

Costs

Case A Yes

Costs are provided in the mediation contract, as agreed by the parties and the mediator.

Case B Yes

Costs are provided in the mediation contract, as agreed by the parties and the mediator

### Costs for lawyer, bailiff and expert

Case Study

Lawyer

Bailiff

Is representation compulsory?

Average costs

Is representation compulsory?

Pre-judgment costs

Post-judgment costs

Granting enforcement of the court decision - RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty)

Notification- RON 20 minimum fee

(approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)

Bailiff's fees - RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee

Variable costs depending on the legal assistance contract

Not applicable in this case, as representation is not compulsory

Not applicable in this case, as only the court decision (issued post judgement) can be subject to enforcement, if the losing party (the father) does not execute it willingly

Case A

NO

NO

Case Study	Lawyer		Bailiff	
				Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty) Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100) Bailiff’s fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee
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, as only the court decision (issued post judgment) can be subject to enforcement, if the losing party (the father) does not execute it willingly

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	Cost	Pledge or security	Cost
	Are witnesses compensated?		Does this exist and when and how is it used?	
Case A	Not applicable in this case, as no witnesses will be heard	Not applicable in this case, as no witnesses will be heard	If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty)
Case B	Not applicable in this case, as no witnesses will be heard	Not applicable in this case, as no witnesses will be heard	If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty)

### Costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement
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	When and under which conditions is it applicable?	When is support total?	Conditions?	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 organization?
Case A	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached	Yes	In general 100% of the costs are reimbursed.	If the mother wins, all the costs borne by her can be recovered from the father in this case	NO
Case B	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached	Yes	In general 100% of the costs are reimbursed.	If the mother wins, all the costs borne by her can be recovered from the father in this case	NO

## Costs for translation and interpretation

Case study	Translation When and under which conditions is it necessary?	Approximative cost?	Interpretation When and under which conditions is it necessary?	Approximative cost?	Other costs specific to cross-border disputes?	Description
Case A	Not applicable in this case 1. When documents submitted to the court (part of the case dossier) are written in another language. 2. In addition, when the party contests the accuracy of a document translated into Romanian, the court may request the translation of the document by an authorised translator.	Not applicable in this case 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.	When the party who should be heard by the court is deaf or mute, or does not know how to write.	RON 23.15 per hour (approximately EUR 6)		
Case B			If at least one of the parties does not speak Romanian. State A = Romania	RON 23.15 per hour (approximately EUR 6)	Yes, but are supported by the State	

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