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# How to bring a case to court

 Greece

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European Judicial Network  
(in civil and commercial  
matters)

## 1 Do I have to go to court or is there another alternative?

Indeed, it might be appropriate to use 'alternative dispute resolution methods'. See relevant subject.

## 2 Is there any time limit to bring a court action?

There are different limitation periods for bringing a court action depending on the case. Details on limitation regarding bringing a court action can be provided by a legal advisor or a citizens advice office.

## 3 Should I go to a court in this Member State?

See '[Competent courts](#)'.

## 4 If yes, which particular court should I go to in this Member State, given where I live and where the other party lives, or other aspects of my case?

See '[Competent courts - Greece](#)'

## 5 Which particular court should I go to in this Member State, given the nature of my case and the amount at stake?

See '[Competent courts - Greece](#)'.

Procedure to be followed for bringing legal action.

## 6 Can I bring a court action by myself or do I have to go via an intermediary, such as a lawyer?

The action must be brought by a lawyer, except in the following cases: (1) cases brought before a district civil court (*Irinodikio*), (2) provisional remedies, (3) to prevent an imminent danger (Article 94(2) of the Code of Civil Procedure), and (4) labour proceedings conducted before the single-bench court of first instance (*Monomelos Protodikio*) or the district civil court (Article 665(1) of the Code of Civil Procedure). As a general rule, therefore, a legal representative should be present. There are certain procedures, e.g. provisional remedies, minor disputes, labour disputes, etc., in which the person concerned may appear on their own behalf.

## 7 To initiate the case, who exactly do I apply to: to the reception office or

## the office of the clerk of the court or any other administration?

To initiate a court case, an application must be submitted to the registry of the competent court. To draw up the action, the person concerned should contact a lawyer, who will submit it to the registry of the competent court.

## 8 In which language can I make my application? Can I do it orally or does it have to be in writing? Can I send my application by fax or by e-mail?

(a) The application must be made solely in Greek;

(b) as a general rule, it must be made in writing. It may be submitted verbally to a district civil court if there are no appointed lawyers or local unlicensed legal advisers (*dikolavoi*) at the place where the Court has its seat. In that case, a report should be drawn up (Articles 111, 115 and 215(2) of the Code of Civil Procedure); and

(c) the application may also be submitted electronically, provided that it has been signed with an advanced electronic signature (Articles 117(2) and 119(4) of the Code of Civil Procedure; Presidential Decree 25/2012).

## 9 Are there special forms for bringing actions, or, if not, how must I present my case? Are there elements that have to be included in the file?

There are no special forms for bringing actions. The file includes the action, where necessary (it is not mandatory for district civil courts and precautionary measures) and where the written evidence is submitted by the party to the case.

## 10 Will I have to pay court charges? If so, when? Will I have to pay a lawyer right from the introduction of my application?

Court charges are paid as follows: The party to the case should cover the relevant costs and charges. Thus, the claimant should pay for the stamp duty, the court stamp duty and the fees for various funds (e.g. Lawyers' Fund [TN], Athens Lawyers' Welfare Fund [TPDA], etc.), which are paid when the action is lodged. When and how the lawyer is to be paid is agreed with the party to the case.

## 11 Can I claim legal aid?

Yes you can, subject to the conditions of Articles 194-204 of the Code of Civil Procedure (if the person concerned is unable to pay the court costs without compromising their own livelihood and that of their family). The following documents are required: (1) A certificate from the mayor or the president of the community in which the claimant lives, regarding their professional, financial and family status, and (2) a certificate from the head of the tax office of the place where the claimant lives, regarding whether he has submitted a tax return in the last three years for income tax or any other direct tax, as well as a verification of the accuracy of the tax return.

Subsequent steps to be taken in connection with the action.

## 12 From which moment is my action officially considered to have been brought? Will the authorities give me some feedback on whether or not my case has been properly presented?

The action is considered to have been brought when it is submitted to the registry of the court to which it is addressed and when a copy of it is served to the defendant (Article 215 of the Code of Civil Procedure). The drawing up and submission of a report constitutes confirmation that the action has been brought. Upon submission of the action to the competent court, an act of submission is drawn up and a date of hearing is set, to provide the claimant with the submission details.

### 13 Will I have detailed information about the timing of subsequent events (such as the time allowed for me to enter an appearance)?

The date of hearing of the action is set by the registry of the competent court and the party to the case is summoned to each subsequent session of the court or each act taken in the course of the case. Any party to the case has the right to expedite the hearing. Guidance is also given by the authorised lawyer.

Finally, as regards all the questions, the presence of a lawyer is mandatory at a second-instance court, i.e. court of appeal, even if the presence of a legal representative was not mandatory at the above-mentioned first-instance courts in these particular cases (question one). Naturally, this also applies to cases brought before the Hellenic Supreme Civil and Criminal Court (*Arios Pagos*).

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