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Costs

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Czechia

Czechia



On this page, you will find information on the costs of court proceedings in the Czech Republic.

[Family law - Divorce](#)

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Regulatory framework governing fees in legal professions

Lawyers

There is only one type of lawyer in the Czech Republic – attorneys-at-law [advokáti]. There are no separate legal professions analogous to lawyers such as ‘barristers’ and ‘solicitors’ in the United Kingdom.

[Decree of the Ministry of Justice No 177/1996 of 4 June 1996](#) deals with the fees and compensation paid to lawyers for the provision of legal services (lawyers’ tariff). The English translation is available on the Czech Bar Association’s website.

A lawyer’s fee can also be arranged privately between the parties involved.

Legal representation is not mandatory in most civil cases (including family and commercial cases).

Fixed costs

Fixed costs in civil court proceedings

Fixed costs for litigants in civil court proceedings

Act No 549/1991 on court fees (no English translation is available) regulates fees paid in civil court proceedings. The fees differ according to the type of proceedings. Fixed fees are paid in some cases; in other cases the amount of the fee is determined on a percentage basis.

In all cases, the fees must be paid in the Czech currency (CZK) and may be remitted by bank transfer to the State’s (court’s) account. Fees up to CZK 5 000 may be paid using special government stamps [státní kolek] available for purchase at post offices and certain other places.

The court is obliged to advise the person lodging an action about the specific court fee amount.

The stage of civil court proceedings where litigants become obliged to pay fixed costs

A court fee falls due when the payer becomes obliged to pay it (e.g., when an action is lodged). If the payer fails to pay a fee for the proceedings which is due, the court will request that it be paid within the time limit it prescribes to this effect. If this time-limit has expired and the payer has not paid the fee, the court will discontinue the proceedings.

Fixed costs in criminal proceedings

Fixed costs for litigants in criminal proceedings

Criminal proceedings are always initiated ex officio (based on the prosecutor's official duty) and the defendant only pays for the costs of legal representation (if not granted free defence or defence at a reduced rate). However, if the defendant is found guilty with final effect, he or she is required to compensate the state for the costs of the criminal proceedings in the amount set by the law.

The stage of criminal proceedings where litigants become obliged to pay fixed costs

No court fees are paid in criminal proceedings.

Fixed costs in proceedings before the Constitutional Court

Fixed costs for litigants in proceedings before the Constitutional Court

No fixed court fees are set for complaints lodged with the Constitutional Court of the Czech Republic [Ústavní soud České republiky], but litigants are required to be represented by a lawyer.

The stage of proceedings before the Constitutional Court where litigants become obliged to pay fixed costs

No fixed court fees are charged.

Prior information to be provided by legal representatives

Rights and obligations of the parties

Legal representatives of the parties are not required to provide any prior information.

The rights and obligations of the parties may be arranged through an agreement between the lawyer and the lawyer's client.

Legal basis for costs

Where can I find information on the legal basis of the costs charged in the Czech Republic?

It is recommended to consult a lawyer in each individual case. Once proceedings start, the court is required to disclose the amount of the due court fees to the parties.

In which language can I get information on the legal basis of the costs charged in the Czech Republic?

The only official language in the Czech Republic is Czech. Therefore, there is no legal obligation to provide information in other languages. The quality of the information thus depends on the willingness and knowledge of the person providing it.

Where can I find information on mediation?

Information on mediation can be found on the website of the [Association of Mediators of the Czech Republic](#) [Asociace mediátorů České republiky] (AMČR).

Information on registered mediators can be found on the [Ministry of Justice](#) website and/or directly by searching the [List of mediators](#) [Seznam mediátorů] database.

Where can I find additional information on costs?

Available website on cost information

No official website providing cost information is available.

Where can I find information on the average length of time that different proceedings take?

The website of the [Ministry of Justice](#) contains statistics on the activities of courts and prosecutor's offices.

Where can I find information on the average aggregate costs of individual proceedings?

The costs one has to pay depend on the circumstances of each individual case. Average aggregate costs of court proceedings are not available.

VAT

In which way is this information provided?

Court fees are exempted from VAT and their amount is final. The lawyer's tariff is exclusive of VAT. Some law offices are VAT payers and do charge VAT (at the 21% rate). VAT and the manner in which this tax is collected is regulated by Act No 235/2004 on value added tax.

What rates apply?

The standard rate is 21%, the reduced rate is 15%.

Legal aid

Income ceilings applicable in the area of civil proceedings

No specific income ceilings apply. The qualification criteria for the provision of free legal aid include not only the person's income, but also the overall financial situation of his or her household. Where the protection of a party's interests so requires (i.e., especially in substantively or procedurally complicated proceedings) or where the parties must mandatorily be represented by a lawyer in the given type of proceedings and, at the same time, the party's circumstances justify such a procedure, the court will appoint an attorney-at-law as the party's lawyer. The party's obligation to reimburse the lawyer, as well as to pay court fees, is then waived by the court.

Free legal aid is also provided by the Czech Bar Association [Česká advokátní komora] and specialised non-governmental organisations (depending on the subject of the proceedings).

Income ceilings applicable to persons accused in criminal proceedings

No specific income ceilings apply. The court will appoint a defence lawyer for the accused person in all cases where legal representation is mandatory and the accused does not have a lawyer.

If the accused person documents that he or she cannot afford the costs of defence, the court will decide that he or she is entitled to free legal defence or defence at a reduced rate.

Income ceilings applicable to victims (aggrieved parties) in criminal proceedings

Aggrieved parties aged under 18 are entitled to be represented by an attorney free of charge in criminal proceedings unless the proceedings concern the crime of neglecting the duty to maintain and support [zanedbání povinné výživy].

Aggrieved parties who fall within one of the following categories are also entitled to free legal representation by an attorney:

1. especially vulnerable victims pursuant to Act No 45/2013 on victims of crime and on amendment to certain laws (Victims of Crime Act);
2. persons who suffered grievous bodily injury as a result of an intentional criminal offence;
3. survivors of a victim who died as a result of the criminal offence;

persons who prove that they cannot afford the costs of legal representation. These persons are entitled to choose their attorney themselves; if they fail to do so, the relevant law enforcement body will appoint an attorney for them.

Where the aggrieved party is also an especially vulnerable victim, he or she additionally receives limited legal aid under the Victims of Crime Act. This form of legal aid is provided by lawyers (attorneys-at-law) who volunteer to provide a certain amount of free legal aid to such victims and are registered in a special register maintained by the Ministry of Justice.

Other conditions attached to the provision of legal aid to victims

Non-governmental non-profit organisations which have met the set conditions and have obtained accreditation from the Ministry of Justice, as well as the Probation and Mediation Service [Probační a mediační služba], may provide legal information to victims of crime (especially information on their rights under the Victims of Crime Act and the rights of the aggrieved parties in criminal proceedings). However, this legal information does not directly constitute legal aid.

Other conditions attached to the provision of legal aid to accused persons

The same information applies in this regard as indicated above regarding income ceilings with respect to legal aid for the accused persons in criminal proceedings.

Fee-exempted court proceedings

Complaints lodged with the Constitutional Court are not subject to any court fees. Likewise, court fees are not charged in some types of proceedings (specified in § Section 11 of Act No 549/1991 on court fees), for instance in cases where the plaintiff is a minor and in some other cases (e.g. in cases where the state or its bodies are one of the parties to the proceedings, where the case concerns an asylum application filed by a foreign national, and in cases where a party to the proceedings is a 'person in a weaker position').

When does the unsuccessful party have to pay the successful party's costs?

This depends, in each specific case, on the judge's discretion (as described in the final decision of the judge); the court may order the unsuccessful party to pay the costs in full or in part. This, however, does not apply to divorce proceedings. The decision on costs may often also cover the costs of legal representation.

Expert fees and costs

The court pays a fee to the experts it appoints. The parties to a dispute are required to bear the costs of expert fees only in cases where they themselves request the expert's services. In some special cases, the court may order the unsuccessful party to pay the expert's fees.

Translators' and interpreters' fees

The court is required to pay the fees charged by translators and interpreters; where a party is a foreign national who does not understand Czech, they may address the court in their native language.

Related annexes

[Report of the Czech Republic concerning the Study on the Transparency of Costs \(703 Kb\)](#)

■ Last update: 18/07/2025

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