

[Home](#) > ... > [Money/monetary Claims](#) > [Small Claims](#) > [Sweden](#)

Small claims



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European Judicial Network
(in civil and commercial
matters)

1 Existence of a specific small claims procedure

Yes, there is a specific small claims procedure.

1.1 Scope of procedure, threshold

The specific small claims procedure (simplified civil actions) is followed by the ordinary court of first instance (the district court, *tingsrätt*) in cases where the plaintiff's claim falls below a certain threshold value, linked to the 'price base amount'. The price base amount is calculated on the basis of changes in the general price situation pursuant to the provisions of the [Social Insurance Code \(2010:110\)](#) (*Socialförsäkringsbalk*). The calculations are based on the change in the consumer price index and are established for a full calendar year. Information on the price base amount for the year can be found on the [website of Statistics Sweden](#) (*Statistiska Centralbyrån*).

1.2 Application of procedure

Access to this procedure is not restricted to certain case types, such as consumer disputes. The applicable criteria are that the case must be a civil action, and that the value of the dispute must lie below the threshold value. The procedure cannot be used in family cases.

1.3 Forms

The [website of the Swedish National Courts Administration](#) (*Domstolsverket*) contains a form that can be used to apply for a summons in civil cases and simplified civil cases.

1.4 Assistance

Help with initiating a procedure is available at a district court. State authorities have a general service obligation that is enshrined in law. This obligation means that people can telephone or visit a district court, for example, and receive general advice about the procedure and the rules that apply to it. The presiding judge is also obliged to ensure that the contentious matters at issue are clarified, and that the parties specify what they intend to rely upon in the case, during preparation for the case and depending on its nature. In practice, the judge discharges their duties by means of additional questions and remarks.

1.5 Rules concerning the taking of evidence

There are no special rules for cases concerning disputes involving small amounts. In other words, both verbal and written evidence may be submitted. Written witness statements are only permitted in certain special situations. More information about the rules on the taking of evidence for civil actions under Swedish law may be found [here](#).

1.6 Written procedure

A court can deliver a judgment purely on the basis of written proceedings. This possibility is used where verbal proceedings are neither required with reference to the investigation of the case nor requested by either party.

1.7 Content of judgment

There are no special rules governing the formulation of a judgment in cases involving small amounts. The following applies to all civil actions, including judgments in cases involving small amounts. The judgment must be issued in writing and contain the following information in separate sections: the name of the court and the date and place of issue of the judgment, the parties and their representatives or counsel, the operative part of the judgment, the claims and pleadings of the respective parties and the circumstances on which they are based, and the grounds for the judgment, including information concerning what was proved in the case.

1.8 Reimbursement of costs

The special rules concerning costs are the most important special feature of cases involving small amounts. The party that wins the case is entitled only to compensation for one hour's legal advice on one occasion at each court, as well as the application fee, travel and subsistence expenses in connection with the court session, the costs of evidence from witnesses, and the costs of translating documents. The compensation will be awarded if the costs were claimed reasonably in order for the winning party to be able to enforce their rights. The remuneration of representatives is therefore not compensated for, over and above the amount corresponding to one hour's advice.

1.9 Possibility to appeal

A judgment issued by a lower court may be appealed against to a higher court.

Leave to appeal is required in order for the court of appeal (*hovrätt*) to examine the judgment by the district court. Leave to appeal may be granted only if it is important for the application of the law that the appeal be heard by a court of higher instance, if there are grounds for amending the conclusion reached by the district court or if there are other special reasons for an appeal. A party wishing to appeal against a judgment by a district court must do so in writing, and the appeal must reach the district court within three weeks of the issue date of the judgment.

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