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Costs in Lithuania

Costs for court, appeals and alternative dispute resolution

Case Study	Court	Transcription fees	Other fees
	Initial court fees		
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court. Foreign natural or legal persons are subject to the same conditions of exemption, reduction, deferral and scheduling of payments as apply to Lithuanian citizens.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B		The same as in the national situation	The same as in the national situation

Case Study	Appeals	Transcription fees	Other fees
	Initial court fees		
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in the national situation	The same as in the national situation	The same in as the national situation

Case Study ADR

Case Study	Is this an option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably.	Free
Case B	The same as in the national situation	The same as in the national situation

Costs for lawyer, bailiff and expert

Case Study Lawyer

	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory	See section on Legal Profession Fee Regulation above
Case B	The same as in the national situation	The same as in the national situation

Case Study

	Bailiff Is representation compulsory?	Pre-judgment costs	Post-judgment costs
			Governed by the instructions on judgment execution. Costs must be recovered from the debtor. The amount depends on the kind of enforcement and quantity of execution actions - costs may be fixed, 60 Litas per hour or a percentage of the value of the relevant item(s)
Case A	No	No. Bailiffs play their role only after the issue of enforcement orders.	
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case Study

	Expert Is use compulsory?	Cost
		An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	
Case B	The same as in the national situation	The same as in the national situation

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

Case Study

Witness compensation		Pledge or security		Other fees	
Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost

						See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court.
					Other expenses include:	See section on Bailiff's Fees
					1) the inspection of a location;	A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution.
					2) defendant searches;	Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
					3) delivering court documents;	
					4) satisfying the court judgment;	
					5) reimbursement for curator's work;	
					6) others as necessary and reasonable	
	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas		
Case A		The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
	Primary legal aid can be claimed as described in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid.	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence.
	Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid.
Case A	The same as in the national situation	The same as in the national situation	The same as in the national situation
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case study	Reimbursement		
	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
		What costs are never reimbursed?	

Case study Reimbursement

Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law.

Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure.

Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure

Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.

The same as in the national situation

	Parties that achieve mutual consent to divorce are relieved of litigation costs.		The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process.
Case A			
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for translation and interpretation

Case study Translation	Interpretation	Other costs specific to cross-border disputes?
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	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
		A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.				
Case A	All the court documents and their annexures must be submitted to the court in the state language. The same as in the national situation		People who do not speak the official language, are guaranteed the right to interpretation/translation services during the proceedings.		The court must pay the amounts due to interpreters/translators from the state budget funds.	
Case B		The same as in the national situation	The same as in the national situation		The same as in the national situation	

■ Last update: 01/05/2010

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