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Costs in Lithuania

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 |
| | | | The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses | | | The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses |
| Case A | Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000) | Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page | | Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000) | Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page | |

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 | | |

Case Study

| | Bailiff | Expert |
|--|-------------------------------|--------------------|
| | Is representation compulsory? | Is use compulsory? |
| | Pre-judgement costs | Cost |
| | Post-judgement costs | |

| | | | | | |
|--------|----|----|--|--|--|
| | | | No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) 600 Litas if size of debt is from 50, 000 Lt (~€15,000) to 100,000 Lt (~€29,000) and 6%, but not less than 4000 Lt, of the executed debt amount as bailiff's salary, and other enforcement costs, depending on the kind and quantity of execution actions. 2) Bailiff's salary depends on size of debt. | 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. | 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 | No | No | | | |
| Case B | No | No | Same as in a Case A | | |

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

| Case Study | Witness compensation | Cost | Pledge or security Does this exist and when and how is it used? | Cost |
|------------|--|-------------------------------------|--|--|
| Case A | Are witnesses compensated? 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 Study | Other fees Description | Cost |
|------------|---|--|
| Case A | Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable | See section on Experts' Fees above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance |
| Case B | | |

Costs for legal aid and other reimbursement

Case study

Legal Aid

When and under which conditions is it applicable?

When is support total?

Conditions?

Primary legal aid can be claimed as described in the section on Legal Aid above.

Secondary legal aid is eligible under the conditions set out in

Case A the section on Legal Aid above.

Case B Same as in a Case A

The state guarantees 100% percent of the costs of primary legal aid.

The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)

Same as in a Case A

Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence.

Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid

Same as in a Case A

Case study

Reimbursement

Can the winning party obtain reimbursement of litigation costs?

What costs are never reimbursed?

Are there instances when legal aid should be reimbursed to the legal aid organization?

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 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 shall 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 costs of the secondary legal provided to 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 per cent of the costs of secondary legal aid are covered, and an applicant fails to fulfil the duty to pay 50 percent 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 to the state budget within the time limits laid down by the service.

| | | | |
|--------|---|--|---|
| Case A | The winning party can obtain reimbursement of litigation costs from the losing party. | The costs of state-guaranteed legal aid do shall not cover the costs that the court awards to the losing party nor the costs incurred by in the execution process. | Where the costs of secondary legal aid must be recovered, the state must be represented by the service. |
| Case B | Same as in a Case A | | Same as in a Case A |

Costs for translation and interpretation

| | | |
|------------|---|---|
| Case study | Translation | Interpretation |
| | When and under what conditions is it necessary? | When and under what conditions is it necessary? |
| | Approximate cost? | 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. | 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 A | All the court documents and their annexures must be submitted to the court in the state language. | | | |
| Case B | As per national situation | As per national situation | As per national situation | As per national situation |

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