

Case study 3 - family law - alimony - Malta

Costs in Malta

Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court			Appeals			ADR		Costs
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?		
Case A	€181.68	N/A	N/A	€98.99	N/A	€116.47	Yes		
Case B	€181.68	N/A	N/A	98.99		€116.47	No		

Costs for lawyer, bailiff and expert

Case Study	Lawyer	Average costs	Bailiff	Pre-judgement costs	Post-judgement costs	Expert	Cost
	Is representation compulsory?		Is representation compulsory?			Is use compulsory?	
Case A	Yes	0.5% of alimony payable for a period of 10 years which fees may be raised to 1% by mutual agreement between client and lawyer, provided that any fee in excess of the established 0.5% is not recoverable from the other party.	Not compulsory	N/A	N/A	No	N/A
Case B	Yes	Depends on amount claimed	Not compulsory	N/A	N/A	No	N/A

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

Case Study	Witness compensation	Pledge or security	Other fees
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Are witnesses compensated?	Cost Does this exist and when and how is it used?	Cost	Description	Cost
Case A No	N/A Precautionary warrant against the amount demanded	€23.28	N/A	N/A
Case B No	N/A Precautionary warrant against the amount demanded	€23.28	N/A	N/A

## Costs for legal aid and other reimbursement

Case study	Legal Aid	When is support total?	Conditions?
Case A	When and under what conditions is it applicable? Legal Aid applies if the person lives on social benefits or minimum wage, and if he/she does not possess more than one property.	N/A	N/A
Case B	Legal Aid is applicable if the person lives on social benefits or minimum wage, and if he/she does not possess more than one property.	N/A	N/A

Case study	Reimbursement	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total, what is percent-age in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	YES	Depends on the outcome of the judgement	Depends on the outcome of the judgement	Private consultation with the lawyers (extra-judiciary costs)	N/A
Case B	YES	Depends on the outcome of the judgement	Depends on the outcome of the judgement	Private consultation with the lawyers (extra-judiciary costs)	N/A

## Costs for translation and interpretation

Case study	Translation	Approximate cost?	Interpretation	Approximate cost?	Other costs specific to cross-border disputes?
	When and under what conditions is it necessary?		When and under what conditions is it necessary?		Description
Case A	A translation is only made upon the request of either one of the parties involved. Translation is done from Maltese to English or vice versa only. Translations into other languages are to be provided by parties at their own expense.	€17.47 (the flat rate paid as registry fee for each translation)	Applies only when a witness is neither Maltese nor English speaking	Between €11.65 and €58.23/hour	Costs incurred by the notifying party residing abroad Depends on the fees charged by other member states

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Case B					

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