

[Home](#) > ... > [Taking Legal Action](#) > [Where and How](#) > [Costs](#) > Case study 2 - family law - custody of the children - Czech Republic

Case study 2 - family law - custody of the children - Czech Republic

Costs in the Czech Republic

Indicative costs for court, appeals and alternative dispute resolution

| Case study | First-instance court proceedings | | | Appellate proceedings | | | Alternative dispute resolution Can this be used in this specific case? | Costs |
|------------|----------------------------------|----------------------|------------|-----------------------|--------------------|------------|---|--|
| | Initial court fees | Transcription fees | Other fees | Initial court fees | Transcription fees | Other fees | | |
| Case A | CZK 0 | Not applicable (N/A) | N/A | CZK 0 | N/A | N/A | Yes | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |
| Case B | CZK 0 | Not applicable (N/A) | N/A | CZK 0 | N/A | N/A | Yes | Contractual (CZK 400 for each, even incomplete, hour in the case of a court-mandated introductory meeting with a mediator) |

Indicative costs for a lawyer, licenced enforcement agent and expert

| Case study | Legal representation | | Licenced enforcement agent | | | Expert | |
|------------|-------------------------------|--|-----------------------------------|--------------------|---------------------|---------------------------------|-----------------------------|
| | Is representation compulsory? | Average cost | Is use compulsory? | Pre-judgment costs | Post-judgment costs | Is use of an expert compulsory? | Costs |
| Case A | No | Contractual, CZK 1 000 per task according to the lawyer's tariff | No | - | - | No | CZK 100 to CZK 350 per hour |
| Case B | No | Contractual, CZK 1 000 per task according to the lawyer's tariff | No (depends on the other country) | - | - | No | CZK 100 to CZK 350 per hour |

Costs for witness compensation, deposits, securities and other relevant fees

| Case study | Witness compensation | | Deposit or security Does this exist and when and how is it used? | Other costs | | |
|------------|--------------------------------------|---|---|-------------|-------------|-------|
| | Are witnesses compensated? | Costs | | Costs | Description | Costs |
| Case A | Yes, depending on their actual costs | Differ according to the circumstances of the case | Not in this type of proceedings | - | - | - |
| Case B | Yes, depending on their actual costs | Differ according to the circumstances of the case | Not in this type of proceedings | - | - | - |

Costs for legal aid and the reimbursement of expenses

| Case study | Legal aid | | Reimbursement | | If reimbursement is not comprehensive, what is the usual percentage of the costs covered? | What costs are never reimbursed? | Are there instances when legal aid should be reimbursed to the legal aid organisation? |
|------------|---|-------------------------------|---------------|---|---|---|--|
| | When and under what conditions is it applicable? | When is full legal aid given? | Conditions? | Can the winning party obtain reimbursement of litigation costs? | | | |
| Case A | Only NGOs See the Directive concerning application of legal aid in cross-border disputes | - | - | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | - | Depends on the court's decision, usually none | No |
| Case B | | - | - | Usually not. However, the court may grant the reimbursement of costs if justified by the circumstances. | - | Depends on the court's decision, usually none | No |

Translation and interpreting costs

| Case study | Translation | | Interpreting | | Other costs specific to cross-border disputes? | |
|------------|--|-----------------------------|---|--------------------|--|--------------------|
| | When and under what conditions is it necessary? | Approximate costs? | When and under what conditions is it necessary? | Approximate costs? | Description | Approximate costs? |
| Case A | Original documents in a foreign language necessary for the proceedings | CZK 100 to CZK 350 per page | - | - | - | - |

| | | | | | | |
|-----------|---|-----------------------------------|---|-----------------------------------|---|---|
| | Original documents in a foreign language | CZK 100 to CZK 350 per page | In cases where a party or a witness is a foreign national or does not understand Czech | CZK 100 to CZK 350 per hour | - | - |
| Case B | necessary for the proceedings | | | | | |
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