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Case Study 4 – Commercial law – Contracts – 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	5% of the amount (with subject of the proceedings under CZK 40 million)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (e.g., arbitration proceedings or mediation)	Contractual
Case B	5% of the amount (with subject of the proceedings under CZK 40 million)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (e.g., arbitration proceedings or mediation)	Contractual

Indicative costs for a lawyer, licenced enforcement agent and expert

Case study	Legal representation		Licenced enforcement agent			Expert Is use of an expert compulsory?	Costs
	Is representation compulsory?	Average cost	Is use compulsory?	Pre-judgment costs	Post-judgment costs		
Case A	No.	Contractual	No.	-	-	No.	CZK 100 to CZK 350 per hour
Case B	No.	Contractual	No.	-	-	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		Other costs	
	Are witnesses compensated?	Costs	Does this exist and when and how is it used?	Costs	Description	Costs

Case A paid.	Yes. Actual costs are paid.	Differ according to the circumstances of the case	In commercial cases, if preliminary injunction is requested.	CZK 50 000. -	-
Case B paid.	Yes. Actual costs are paid.	Differ according to the circumstances of the case	In commercial cases, if preliminary injunction is requested.	CZK 50 000. -	-

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid		Reimbursement			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?	If reimbursement is not comprehensive, what is the usual percentage of the costs covered?		What costs are never reimbursed?
Case A	Very rarely in commercial cases. See the Directive concerning application of legal aid in cross-border disputes	-	-	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.
Case B		-	-	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.

Translation and interpreting costs

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

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