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Case Study number 5 – Commercial law – Liability – 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	
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Can this be used in this specific case?	Costs
	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual (usually CZK 1 000 per hour; 3 hours)
Case A	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual
Case B	5% of the amount (insurance claimed)	Not applicable (N/A)	No.	5% of the amount	Not applicable (N/A)	No.	Yes (optional)	Contractual

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	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	Yes. Actual costs are paid.	Differ according to the circumstances of the case	If a preliminary injunction is requested.	CZK 10 000.	Cost of evidence	Differ according to the circumstances of the case
Case B	Yes. Actual costs are paid.	Differ according to the circumstances of the case	If a preliminary injunction is requested	CZK 10 000.	Cost of evidence	Differ according to the circumstances of the case

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? If necessary to protect the interests of a party, the court will appoint a lawyer.	Conditions? The party's application, their assets and the complexity of the dispute.	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	Consumer protection centres, other NGOs See the Directive concerning legal aid in cross-border disputes or the European Consumer Centre.	If necessary to protect the interests of a party, the court will appoint a lawyer.	The party's application, their assets and the complexity of the dispute.	Yes.	Depends on the circumstances of the case.	Compensation of all costs may be ordered.	No.
Case B							

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	Original documents in a foreign language necessary for the proceedings	CZK 100 to CZK 350 per page	-	-
Case B	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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