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Danish

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**Costs**

Denmark

On this page you will find information on court costs in Denmark.

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**Regulatory framework governing fees charged by legal professions**

In principle there is no regulatory framework governing fees charged by the legal professions. However, the High Court (*landsret*) has established guidance rates, which can be consulted by the public. Anyone can submit a complaint about a lawyer's fee to the Disciplinary Board of Lawyers [Advokatnævnet](#).

**Fixed court costs****Fixed court costs in civil proceedings****Fixed court costs for parties to civil proceedings**

Danish law requires the claimant to pay a court fee for submitting the claim. As a starting point, the fee is set at DKK 500. Where the sum claimed is more than DKK 50 000, the fee is DKK 750, plus 1.2% of the amount by which the sum claimed exceeds DKK 50 000.

Where the sum claimed is more than DKK 50 000, an additional hearing fee is payable for the court hearing. This fee is the same as the fee paid when the claim is submitted. For the court hearing too, therefore, the claimant must pay DKK 750 plus 1.2% of the amount by which the sum claimed exceeds DKK 50 000.

An upper limit of DKK 75 000 is set for each of the two types of court fee (the fee for submission of the claim and that for the court hearing). In some cases (for example, those relating to the exercise of public authority), the upper limit is only DKK 2 000.

In some types of civil case, including those involving family law, there are no fees payable to the court.

**Stage of the civil proceedings at which the parties must pay fixed costs**

As noted above, the claimant must pay a court fee on submitting the claim.

The fee for the court hearing must be paid by the time the date of the hearing is set, but at the earliest three months before the hearing.

**Fixed costs in criminal proceedings****Fixed court costs for parties to criminal proceedings**

Criminal cases are normally free of any court fees. However, a small number of criminal cases are brought by **private prosecution**, in which case the rules regarding court fees in civil cases apply.

**Fixed costs in constitutional proceedings****Fixed court costs for parties to constitutional proceedings**

Constitutional cases may be either civil or criminal cases. There are no separate rules on constitutional proceedings in Denmark.

**Information about court costs that is to be provided by legal representatives****Rights and obligations of the parties**

Point 16.8 of the **Code of Conduct of the Danish Bar and Law Society** (*Advokatsamfundets advokatetiske regler*) states:

'A lawyer shall make every effort to find a solution to the client's case at the lowest possible cost, taking into account the client's wishes and instructions.'

**Costs sources****Where can I find information on cost sources in Denmark?**

Information on costs is available on the websites of the Danish Bar and Law Society [Advokatsamfundet](#) and the Danish courts [Danmarks Domstole](#).

**In which languages can I find information on cost sources in Denmark?**

Information on cost sources is available in Danish and English.

**Where can I find information on mediation?**

Information on **mediation** (*retsmægling*) is available on the website of the Danish courts [Danmarks Domstole](#).

**Where can I find additional information on costs?****Websites with information on costs**

The official website of the Danish Court Administration [Domstolsstyrelsen](#) provides general information on **the Danish justice system** and contact information.

**Where can I find information on the average length of time taken by the different procedures?**

Information on the average time taken by different types of proceeding is available on the homepage of the Danish courts [Danmarks Domstole](#).

**Value Added Tax****Where can I find this information?**

Normally, the rates published include VAT.

**Legal aid****Applicable income threshold in the area of civil justice**

The income threshold for legal aid is adjusted once a year. In 2019 the following income thresholds applied:

Single person: DKK 329 000

Applicant who is married or in a similar relationship: DKK 418 000

Sum added in respect of each child: DKK 57 000.

Everybody, regardless of income, has a right to receive basic legal advice orally and free of charge from the legal aid institutions (*advokatvagten* and *retshjælpen*).

#### **Applicable income threshold in the area of criminal justice for defendants**

A defendant's right to legal representation does not depend on income, but on the nature of the case. In general, the defence lawyer's fee must be paid by the defendant if he or she is found guilty, regardless of his or her level of income.

#### **Applicable income threshold in the area of criminal justice for victims**

A victim's right to legal representation does not depend on income, but on the nature of the case. The principal situations in which victims are entitled to legal representation under section 741(a) of the **Administration of Justice Act** are cases involving violence and sexual offences. In such situations, the lawyer's fee is paid by the State.

#### **Other conditions for the granting of legal aid to victims**

See the answer given above on the criminal justice income threshold for victims.

#### **Other conditions for the granting of legal aid to defendants**

See the answer given above on the criminal justice income threshold for defendants.

#### **Are there court proceedings that are free of charge?**

As mentioned above (see answer given on the fixed costs for parties to civil proceedings), certain civil cases are free of any court fees. However, other costs (for example, lawyers' fees) may become payable in the course of proceedings.

#### **When does the losing party have to pay the winning party's costs?**

The rules on compensation of costs in civil cases are contained in Chapter 30 of the **Administration of Justice Act** (*retsplejeloven*).

As a general rule, the losing party must pay the winning party's costs. However, if special circumstances so require, the court may decide that the losing party need not pay the winning party's costs, or must pay only a proportion of such costs.

Only costs necessary for the proper handling of the case can be awarded.

#### **Experts' fees**

The claimant is responsible for paying an expert's fee if he or she has requested the expert's opinion on a specific matter.

When a case has ended, the court decides whether or not the defendant should pay the costs of the expert. This depends on the outcome of the case.

#### **Translators' and interpreters' fees**

The general rule is that in civil cases interpreting fees are to be paid by the litigants.

In criminal cases, interpreting fees are paid by the Treasury.

#### **Relevant documents**

Report by Denmark on the transparency of court costs [Danmarks rapport om undersøgelsen af åbenheden om sagsomkostninger](#)

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