

## Costs of proceedings - Finland

This page offers you information about judicial costs in Finland.



### Legal professions' fees regulation

#### Barristers (including solicitors and lawyers)

In Finland, barristers' fees are regulated by the Rules of Proper Professional Conduct for Advocates and the Fee Guideline, approved by the Finnish Bar Association.

#### Bailiffs

In Finland, bailiffs' fees are regulated by Government Decree 925/2008, the Act on Enforcement Fees (34/1995) and Government Decree 35/1995.

#### Advocates

In Finland, advocates' fees are regulated by the Code of Commerce 18:5, the Legal Aid Act (257/2002) and Government Decree 290/2008.

### Fixed costs

#### Fixed costs in civil proceedings

#### Fixed costs for litigants in civil proceedings

In Finland, fixed costs include **processing charges** and **document charges**. Processing charges (trial charges, petition charges, delivery charges) are collected from a party as compensation for hearing a case and the measures taken in the process. The processing charge also covers the delivery of the official instrument containing the decision or interim decision in the case. The trial charge varies from €79 in civil matters in district courts to €223 in market court cases.

Document charges (extract charges, copy charges, certificate charges) are collected for specifically requested documents, unless a statutory exemption from charges is in effect. For instance, there is no charge for documents issued to the injured party in a criminal case pursued by the public prosecutor.

Details on costs are available on the Justice website and in the Act on court charges (Act on the Charges for the Performances of the Courts and Certain Organs of Judicial Administration 701/1993) and the corresponding Decrees of the Council of State.

In divorce cases, the total trial charge consists of an initial charge of €79 and a charge of €44 for continued proceedings after the reconsideration period. An advocate's assistance may cost approximately €1000. In matters involving petitions, the charge is €72. In civil law cases, the trial charge is €79 to €179 in the district court and another €179 if an appeal is made before the Court of Appeal. Advocates' costs can be up to and in excess of €6000.

### **Stage of the civil proceeding where fixed costs for litigants must be paid**

Fixed costs for litigants in civil proceedings must be paid at the end of the proceedings.

### **Fixed costs in criminal proceedings**

#### **Fixed costs for litigants in criminal proceedings**

In Finland, litigants pay no costs in criminal cases pursued by the public prosecutor in the first court instance.

### **Stage of the criminal proceeding where fixed costs must be paid**

Fixed costs for litigants in criminal proceedings must be paid at the end of the proceedings.

### **Fixed costs in constitutional proceedings**

#### **Fixed costs for litigants in constitutional proceedings**

There are no constitutional courts in Finland; relevant cases are tried as criminal proceedings. There are no costs for litigants in criminal cases pursued by the public prosecutor in the first court instance.

### **Stage of the constitutional proceeding where fixed costs must be paid**

Costs must be paid at the end of the proceedings.

### **Prior information to be provided by legal representatives**

#### **Rights and obligations of the parties**

**Legal representatives** must provide prior information to the parties to a potential litigation, so that they understand their rights and obligations, their chances of success and the costs involved – including those likely to be borne by the losing party. This is regulated by the [Code of Conduct](#) of the **Finnish Bar Association**. A barrister is also obligated by law to maintain **client confidentiality**.

#### **Costs sources**

##### **Where can I find information on cost sources in Finland?**

Information on cost sources is available on the website of the [Ministry of Justice](#).

##### **In what languages can I obtain information on cost sources in Finland?**

Information is available in Finnish, Swedish and English.

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

Information on mediation is available on the website of the Ministry of Justice and of the **National Institute for Health and Welfare**.

##### **Where can I find additional information on costs?**

###### **Available website on cost information**

Detailed information on the costs and charges of court proceedings is available **free of charge** on the website of the [Finnish Ministry of Justice](#).

##### **Where can I find information on the average length of time that different procedures take?**

Information on the average length of time is available in the 'Overview' of activities on the website of the [Ministry of Justice](#).

##### **Where can I find information on the average aggregate cost for a particular proceeding?**

Information on the average aggregate cost of a proceeding is available on the [Justice](#) website of the Finnish Judiciary.

### **Value Added Tax**

#### **How is this information provided**

Information is available on the [Ministry of Justice](#) website. According to the Fee Guideline of the Finnish Bar Association, an estimate of the fee for performing a task for a consumer must be given inclusive of VAT.

## **What are the applicable rates?**

Legal services are subject to VAT at the rate of 22 percent. Legal aid charges are not, however, subject to VAT.

## **Legal aid**

### **Applicable income threshold in the area of civil justice**

The income threshold is calculated according to a set formula. In general, free legal aid is granted when the applicant's available means are lower than €700 per month for single persons. It can also be granted against a progressive deductible when an applicant's available means are between €700 and €1500. Legal aid is not granted when an applicant's available means are more than €1500 per month. The corresponding figures per spouse are €600 and €1300.

A legal aid charge of €70 is collected from applicants who are granted legal aid against a deductible. In addition, a supplementary deductible is collected if the applicant's liquid assets exceed €5000.

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

The income threshold is calculated using a specific formula. In general, free legal aid is granted when the applicant's available means are less than €700 per month for single persons. It can also be granted against a progressive deductible when an applicant's available means are between €700 and €1500. Legal aid cannot be obtained when an applicant's available means exceed €1500 per month. The corresponding figures per spouse are €600 and €1300. Additional information can be found on the Justice website. A legal aid charge of €70 is collected from applicants who are granted legal aid against a deductible. In addition, a supplementary deductible is collected if the applicant's liquid assets exceed €5000.

In addition to the above, defendants are entitled to a public defender regardless of their financial situation if they are charged with an aggravated offence or if they are arrested or detained. The court may also, of its own initiative, appoint a public defender for a person under 18 years of age, or for a person incapable of seeing to his or her own defence. If, however, the defendant is convicted, he or she must reimburse the state for the public defender's fee, unless he or she would have been entitled to legal aid. In such a case, the defendant's liability to pay is determined according to the rules of legal aid.

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

Victims of certain aggravated offences, such as domestic violence or sexual offences are entitled to an attorney and a support person, regardless of their financial situations.

In addition, victims may obtain legal aid according to the common criteria: in general, legal aid is available free when an applicant's available means are less than €700 per month for single persons. It can also be obtained against a progressive deductible when an applicant's available means are between €700 and €1500. Legal aid cannot be obtained when an applicant's available means are over €1500 per month. The corresponding figures per spouse are €600 and €1300. A legal aid charge of €70 is collected from applicants that are granted legal aid against a deductible. In addition, a supplementary deductible is collected if the applicant's liquid assets exceed €5000.

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

Legal aid is always applied for at a Public Legal Aid Office. It may be applied for at any of the Public Legal Aid Offices in the country, regardless of where the applicant resides. It is often convenient to file the application at the nearest office.

The applicant must present evidence on his or her financial circumstances, any legal expenses insurance, and the matter for which legal aid is being sought.

The application is filed at the Legal Aid Office either orally or in writing, and the necessary documentation must be attached to the application. The application form and attachments can also be sent to the official Legal Aid Office by post, fax or e-mail.

The application form is available on the Legal Aid Application Form page; it is also available at Public Legal Aid Offices, courts of law and from law firms.

If an applicant wishes to be assisted by a private attorney in a court matter, the attorney may file the application for legal aid.

If a person becomes a victim of domestic violence or a sexual offence, the court may appoint an attorney or a support person for the victim – for purposes of the pre-trial investigation and the trial. If the victim wishes to lodge a claim at the trial, the court will appoint an attorney. If the victim has no claims, a support person may be appointed.

As mentioned above, a public defender will be appointed on request for a suspect of an aggravated offence and for a person who has been arrested or detained. The court may on its own initiative appoint a public defender for a person under 18 years of age and for a person incapable of seeing to his or her own defence.

#### **Cost-free court proceedings**

A beneficiary of legal aid is free of payment liability.

In addition, certain matters are by law (Act on Court charges 701/1993, section 6 and 7) free of charge. Such matters include, for example, the adjustment of the debts of private individuals and criminal cases pursued by the public prosecutor in the first instance. Foreign authorities and foreign citizens may have cost-free proceedings in cases of mutual legal assistance.

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

As a general rule, the costs in civil justice cases are borne by the losing party (exceptions include matters involving petitions and matters involving imperative provisions of the law, such as many family law issues). In administrative courts, each party must bear her or his own costs. The court's judgment will state whether the losing party is required to pay the winning party's cost.

#### **Experts' fees**

The experts' fees are decided by the court. There are no fixed limits for such fees, although they must be considered reasonable.

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

Translators' and interpreters' fees are decided by the court. There are no fixed limits for such fees, provided they are reasonable. A translator's average fee is €80 per page. A party will be exempted from these fees if legal aid has been granted.

#### **Related Links**

[Website of the Finnish Ministry of Justice](#)

[Website of the Finnish Judiciary](#)

[Website of the Finnish Bar Association](#)

#### **Related Attachments**

[Finland's report of the Study on Transparency of costs](#)

---

The national language version of this page is maintained by the respective Member State. The translations have been done by the European Commission service. Possible changes introduced in the original by the competent national authority may not be yet reflected in the translations. The European Commission accepts no responsibility or liability whatsoever with regard to any information or data contained or referred to in this document. Please refer to the legal notice to see copyright rules for the Member State responsible for this page.

Last update: 09/02/2020