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Costs

Netherlands

This page provides information about judicial costs in the Netherlands.

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Rules on fees for the legal professions

With the exception of fees payable to those offering subsidised legal assistance, fees in the Netherlands are not regulated.

Fixed costs

Fixed costs for litigants in civil proceedings

Under the [Court Fees \(Civil Cases\) Act](#) (*Wet griffierechten in burgerlijke zaken*), parties in civil cases are required to pay court fees. Court fees are fees that must be paid to the court registry (the court's administrative office) when your proceedings begin.

Fixed costs for litigants in criminal proceedings

There are no fixed costs for litigants in criminal cases under Dutch criminal law. There are no court fees in criminal cases.

Fixed costs for litigants in constitutional proceedings

Under the Dutch legal system, there is no provision for referring constitutional matters to the courts.

Stage of the civil proceedings where fixed costs must be paid

In civil cases, every claimant and defendant must pay fixed costs. Claimants must pay court fees as soon as their case is referred to a court, while defendants must pay court fees after appearing in court.

Stage of the criminal proceedings where fixed costs must be paid

There are no court fees in criminal cases.

Prior information to be provided by legal representatives

Rights and obligations of the parties

Dutch law says nothing on this subject. Rights and obligations can, however, be derived from the [2018 Code of Conduct](#) (*Gedragsregels 2018*). For more information, see the website of the [Netherlands Bar](#) (*Nederlandse Orde van Advocaten*), especially the rules governing the relationship between lawyers and their clients. See also the [Code of Conduct for European Lawyers](#), which states that lawyers should at all times strive to achieve the most cost-effective resolution of the client's dispute and advise the client at the appropriate stage as to the desirability of seeking a settlement and/or having recourse to alternative dispute resolution procedures. If clients are eligible to receive legal assistance free of charge or at a reduced rate, lawyers must tell them so.

Costs incurred by the winning party

In civil cases, the winning party may incur the following costs:

legal assistance (e.g. lawyers' fees);
remuneration or compensation of witnesses or experts;
travel and accommodation expenses; and
other legal and non-legal expenses.

Costs incurred by the losing party

The losing party incurs the same costs as the winning party, but may also be ordered by the judge to bear the costs incurred by the winning party.

Costs – legal basis

Where can I find information on costs in the Netherlands?

You can find information about the cost of proceedings on the website dedicated to the [Dutch judiciary](#) (*De Rechtspraak*) – [this page](#) provides more details about the cost of a court case. The website of the [Legal Help Desks](#) (*Het Juridisch Loket*) also features information on the cost of court proceedings.

In what languages can I obtain information on costs in the Netherlands?

This information is only available in Dutch.

Where can I find information on mediation?

You can find information about mediation on the [Dutch judiciary](#) website and the website of the [Legal Help Desks](#). Information is also available on the websites of the [Dutch Mediators' Federation](#) (*Mediatorsfederatie Nederland*) and the [Legal Aid Board](#) (*Raad voor Rechtsbijstand*).

Where can I find additional information on costs?

Websites with information on costs

You can find the [Court Fees \(Civil Cases\) Act](#) and other Dutch legislation on the [Dutch Government's](#) website, among other places.

Where can I find information on the average length of time that different proceedings take?

The annual report by the Council for the Judiciary (*Raad voor de rechtspraak*) gives figures on the time taken to bring cases to a conclusion. The report is available online on the Dutch judiciary [website](#).

Value-added tax

How is this information provided?

Where information on costs is published, the figures given do not include VAT (where applicable).

What are the applicable rates?

The general VAT rate applied to goods and services is 21%.

Legal aid

Income limit in civil cases

If you cannot afford to pay all the costs of a lawyer or mediator yourself, you may, under certain circumstances, be eligible for subsidised legal assistance – that is, legal aid.

Legal aid is only granted to persons whose annual income does not exceed EUR 27 300 (for single persons) or EUR 38 600 (for married or cohabiting persons or single-parent families with a minor child). Legal aid will not be granted to anyone who has assets in excess of the threshold for tax-exempt capital. See Articles 12 and 34 of the [Legal Aid Act](#) (*Wet op de rechtsbijstand*).

Income limit for defendants in criminal cases

Legal aid is free of charge where a legal representative is assigned by the court (Article 43 of the Legal Aid Act). In other cases, the Legal Aid Board may assign counsel to persons eligible to receive representation under the Criminal Code (*Wetboek van Strafrecht*) or the Code of Criminal Procedure (*Wetboek van Strafvordering*) (see Article 44 of the Legal Aid Act). Under Article 35 of the Legal Aid Act, anyone who is assigned legal aid must pay a contribution in proportion to their income.

Income limit for victims in criminal cases

Under Article 44 of the Legal Aid Act, legal assistance for victims of sexual offences or violent crimes is free of charge, regardless of the victim's ability to pay, if a case is brought and if the victim is eligible for compensation under Article 3 of the [Violent Offences Compensation Fund Act](#) (*Wet schadefonds geweldsmisdrijven*).

Is legal representation mandatory?

Defendants do not have to be represented by a lawyer in cases that are to be heard by a sub-district court or a tenancy tribunal. However, legal representation is mandatory in all other civil cases, such as cases that are to be heard by a district court (*rechtbank*) or court of appeal (*gerechtshof*).

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

The decision on which party has to bear the cost of proceedings is taken by the court. Costs are calculated on a flat-rate basis (i.e. not on the basis of costs actually incurred).

Experts' fees

Experts' fees vary. The amounts are set down in the Decree of 16 August 2003 establishing the rates of remuneration referred to in Articles 3, 4, 6, 7, 17 and 18 of the Criminal Cases (Fees) Act ([Criminal Cases \(Fees\) Decree 2003](#), *Besluit tarieven in strafzaken 2003*).

Translators' and interpreters' fees

The fees for translation and interpreting are explained below.

Interpreters are paid at a rate of EUR 43.89 per hour.

Translators are paid for each line they translate. Translations from or into French, German and English are remunerated at a rate of EUR 0.79 per line. The rate for other common European languages is EUR 1.20 per line. The rate for other European languages and common non-European languages is EUR 1.51, while the rate for other non-European languages is EUR 1.69 per line.

For more information on translators' and interpreters' fees, see the [Criminal Cases \(Fees\) Decree 2003](#).

Related links

[Dutch Mediators' Federation](#)

[Legal Help Desks](#)

[Dutch judiciary](#)

[Cost of a court case](#)

[Legal Aid Act](#)

[Criminal Cases \(Fees\) Act](#)

[Criminal Cases \(Fees\) Decree 2003](#)

Last update: 07/12/2021

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