

## Costs

### Romania

In this case study on family law – alimony, Member States were asked to advise the suing party on litigation costs in order to consider the following situations: Case A – National situation: Two persons have lived together unmarried for a number of years. They have a three year old child when they separate. A court decision grants custody of the child to the mother. The only outstanding dispute relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this. Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (State B). They have a three year old child. They separate. A court decision in Member State B gives the child's custody to the mother. With the agreement of the father, the mother and the child move to live in another Member State (Member State A) where they establish their residence. An outstanding dispute remains. This relates to the amount of the alimony owed to the mother by the father for the support and education of the child. The mother sues on this in Member State A.

### Costs in Romania

#### Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court			Appeals		
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees
Case A	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), <b>the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy)</b> must be paid	<b>1. Legalisation – Attestation in order to obtain an authenticated court decision – RON 2.15 (approximately EUR 0.5)</b> comprising RON 2 (court fee) and RON 0.15 (stamp duty) <b>2. Investing the court decision with an enforceable formula – RON 4.15 (approximately EUR 1)</b> comprising RON 4 (court fee) and RON 0.15 (stamp duty) <b>3. Supra-legalisation – RON 1.15 (approximately EUR 0.25)</b> comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), <b>the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy)</b> must be paid	-
Case B	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), <b>the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy)</b> must be paid	<b>1. Legalisation – Attestation in order to obtain an authenticated court decision – RON 2.15 (approximately EUR 0.5)</b> comprising RON 2 (court fee) and RON 0.15 (stamp duty) <b>2. Investing the court decision with an enforceable formula – RON 4.15 (approximately EUR 1)</b> comprising RON 4 (court fee) and RON 0.15 (stamp duty) <b>3. Supra-legalisation – RON 1.15 (approximately EUR 0.25)</b> comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), <b>the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy)</b> must be paid	-

	Is this option open for this type of case?	Costs
Case A	Yes	Costs are provided in the mediation contract, as agreed by the parties and the mediator.
Case B	Yes	Costs are provided in the mediation contract, as agreed by the parties and the mediator

#### Costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff		
	Is representation compulsory ?	Average costs	Is representation compulsory?	Pre-judgment costs	Post-judgment costs
Case A	NO	Variable costs depending on the legal assistance contract Not applicable in this case, as representation is not compulsory	NO	Not applicable in this case, as only the court decision (issued post judgement) can be subject to enforcement, if the losing party (the father) does not execute it willingly	<b>Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5),</b> comprising RON 10 (court fee) and RON 0.3 (stamp duty) <b>Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)</b> <b>Bailiff's fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee</b>
Case B	NO	Variable costs depending on the legal assistance contract Not applicable in this case, as representation is not compulsory	NO	Not applicable in this case, as only the court decision (issued post judgment) can be subject to enforcement, if the losing party (the father) does not execute it willingly	<b>Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5),</b> comprising RON 10 (court fee) and RON 0.3 (stamp duty) <b>Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)</b> <b>Bailiff's fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee</b>

Case study	Expert	
	Is use compulsory?	Cost
Case A	NO	Not applicable in this case
Case B	NO	Not applicable in this case

#### Costs for witness compensation, pledge or security and other relevant fees

Case Study	Witness compensation		Pledge or security	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost
Case A	Not applicable in this case, as no witnesses will be heard	Not applicable in this case, as no witnesses will be heard	If the party requests the grant of insurance measures (insuring sequester, garnishment)	<b>RON 10.3 (approximately EUR 2.5),</b> comprising RON 10 (court fee) and RON 0.3 (stamp duty)
Case B	Not applicable in this case, as no witnesses will be heard	Not applicable in this case, as no witnesses will be heard	If the party requests the grant of insurance measures (insuring sequester, garnishment)	<b>RON 10.3 (approximately EUR 2.5),</b> comprising RON 10 (court fee) and RON 0.3 (stamp duty)

#### Costs for legal aid and other reimbursement

--	--	--

Case study	Legal Aid			Reimbursement			
	When and under which conditions is it applicable?	When is support total?	Conditions?	Can the winning party obtain reimbursement of litigation costs?	If reimbursement is not total what is percentage in general?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organization?
<b>Case A</b>	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached	Yes	In general 100% of the costs are reimbursed.	If the mother wins, all the costs borne by her can be recovered from the father in this case	NO
<b>Case B</b>	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached	Yes	In general 100% of the costs are reimbursed.	If the mother wins, all the costs borne by her can be recovered from the father in this case	NO

#### Costs for translation and interpretation

Case study	Translation		Interpretation		Other costs specific to cross-border disputes?
	When and under which conditions is it necessary?	Approximative cost?	When and under which conditions is it necessary?	Approximative cost?	Description
<b>Case A</b>	Not applicable in this case	Not applicable in this case	When the party who should be heard by the court is deaf or mute, or does not know how to write.	RON 23.15 per hour (approximately EUR 6)	
<b>Case B</b>	1. When documents submitted to the court (part of the case dossier) are written in another language. 2. In addition, when the party contests the accuracy of a document translated into Romanian, the court may request the translation of the document by an authorised translator.	The costs may vary according to the translation contract, or, if the translation is performed by an authorised translator at the court's request, a fee of <b>RON 33.56 (approximately EUR 8) per page in A4 format should be paid.</b>	If at least one of the parties does not speak Romanian. State A = Romania	RON 23.15 per hour (approximately EUR 6)	Yes, but are supported by the State

Last update: 03/11/2020

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.