

## Startside&gt;Anlægelse af retssag&gt;Hvor og hvordan&gt;Sagsomkostninger

## Sagsomkostninger

Rumænien

Denne side indeholder oplysninger om sagsomkostninger i Rumænien.

Familieret – skilsmisse

Familieret – forældremyndighed

Familieret – underholdsbidrag

Handelsret – kontrakter

Handelsret – ansvar

## Regler om salærer og honorarer til de juridiske erhverv

## Advokater

## Generelt

 Advokaters **salærer varierer** og bestemmes af, hvor kompliceret, omfattende og langvarig sagen er. **Salæremes størrelse** kan aftales frit mellem advokaten og klienten, men dog inden for de grænser, der er fastsat ved lov og i erhvervs regler.

Salærer kan baseres på:

En timesats, der opkræves for det antal timer, der arbejdes

Et fast beløb

Et beløb, der afhænger af sagens resultat: Ud over et fast beløb kan advokaten kræve et ekstra, fast eller variabelt beløb, der skal erlægges, hvis sagen vindes (det er dog strengt forbudt udelukkende at basere advokatens salær på sagens resultat).

Både timebetaling og faste salærer uanset det opnåede resultat.

Det er næsten umuligt at foretage et skøn over salærene, fordi disse oplysninger først er tilgængelige, efter at sagen er blevet forelagt for advokaten, som så vurderer, hvilke salærer der skal betales under hensyntagen til alle aspekter i tilknytning til sagen, hovedsageligt arbejdsbyrden, retstvistsens værdi og også, hvem parten i sagen er.

## Fogeder

## Generelt

 Honorarets størrelse afhænger af det udførte arbejde i forbindelse med tvangsfuldbyrdelse i overensstemmelse med en domstolsafgørelse eller et lovfæstet eksekutionsgrundlag. **Justitsministeriet har i samarbejde med den rumænske fogedforening, Uniunea Națională a Executorilor Judecătorești**, udarbejdet en liste over honorarer. De betales af den part, som har anmodet fogeden om at udføre et arbejde. Fogeder betales normalt pr. tvangsfuldbyrdseskendelse.

Ved tvangsfuldbyrdelse af krav, som vedrører betaling af et pengebeløb, gælder følgende maksimumhonorarer:

For krav på <b>højst 50 000 RON</b>	Det opkrævede maksimumshonorar udgør 10 % af det beløb, som kravet udgør (hvis kravet f.eks. har en værdi på 40 000 RON, må det opkrævede honorar ikke overstige 400 RON (100 EUR)).
For krav på <b>over 50 000 RON, men højst 80 000 RON</b>	Maksimumshonoraret udgør et fast beløb på 5 000 RON plus 3 % af det beløb, der overstiger 50 000 RON.
For krav på <b>over 80 000 RON, men højst 100 000 RON</b>	Maksimumshonoraret beløber sig til summen af 5 900 RON plus 2 % af det beløb, der overstiger 80 000 RON.
For krav på over <b>100 000 RON</b>	Maksimumshonoraret består af et fast beløb på 6 300 RON plus 1 % af det beløb, der overstiger 100 000 RON.

## Detaljerede oplysninger om minimums- og maksimumshonorarer afhængigt af fuldbyrdsedokumentets art

## Detaljeret information om faste honorarer afhængigt af typen af fuldbyrdsedokument

## Honorarer, der opkræves forud for domsafsigelse (inden kravet fremsættes)

Forkyndelse og kommunikation af procesdokumenter	Mellem 20 RON (5 EUR) og 400 RON (100 EUR).
Bekræftelse af en faktisk situation og opstilling af en fortegnelse over formuegoder (artikel 239 i den civile retsplejelov)	Mellem 100 RON (25 EUR) og 2 200 RON (500 EUR) for en skyldner, der er en fysisk person, eller 5 200 RON (1 300 EUR) for en skyldner, der er en juridisk person.
Registrering af et reelt tilbud	Mellem 50 RON (12,5 EUR) og 350 RON (87,5 EUR).
Konfiskeringer	10 % af realiserede værdi.
Beslaglæggelse	Mellem 100 RON (25 EUR) og 1 200 RON (300 EUR) for en skyldner, der er en fysisk person, eller 2 200 RON (550 EUR) for en skyldner, der er en juridisk person.
Juridisk rådgivning i tilknytning til udarbejdelse af fuldbyrdsedokumenter	Mellem 20 RON (5 EUR) og 200 RON (50 EUR).

## Honorarer, der opkræves under sagen

Udlæg	60 RON (15 EUR) er minimumshonoraret for et krav på højst 1 000 RON (250 EUR) 60 RON plus 2 % af det beløb, hvormed beløbet overstiger 1 000 RON, for krav på over 1 000 RON.	For beløb op til 50 000 RON (12 500 EUR) kan honoraret være op til 10 % af kravets værdi For beløb mellem 50 001 RON og 80 000 RON (20 000 EUR) er honoraret 3 % af kravets værdi For beløb mellem 80 001 RON og 100 000 RON (25 000 EUR) er honoraret 2 % af kravets værdi For beløb, der overstiger 100 000 RON, er honoraret 1 % af kravets værdi.
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Protest mod manglende betaling af vekslers, gældsbeviser og checks	Et minimumshonorar på 150 RON (37,5 EUR)	Et maksimumshonorar på 400 RON (100 EUR).
Retsudlæg	Et minimumshonorar på 100 RON (25 EUR)	Et maksimumshonorar på 1 200 RON (300 EUR) for en skyldner, der er en fysisk person, eller 2 200 RON (550 EUR) for en skyldner, der er en juridisk person.

#### Honorarer, der opkræves efter sagsbehandlingen (efter at domstolen har afsagt sin dom)

Anbringelse af et barn (mindreårig) eller fastsættelse af barnets bopæl	Mellem 50 RON (omkring 12,5 EUR) og 1 000 RON (250 EUR).
Kontakt med et barn/besøg hos et barn (mindreårig)	Mellem 50 RON (omkring 12,5 EUR) og 500 RON (125 EUR).

#### Ved gældsinddrivelse

Gældsinddrivelse ved retsforfølgning /udlæg i <b>løsøre</b>	<b>Minimumshonorarer</b> 60 RON (15 EUR) for krav på højst 1 000 RON (250 EUR); 60 RON plus 2 % af det beløb, hvormed beløbet overstiger 1 000 RON, for krav på over 1 000 RON.	<b>Maksimumshonorarer</b> Op til 10 % for beløb op til 50 000 RON (12 500 EUR) 3 % for beløb mellem 50 001 og 80 000 RON (20 000 EUR) 2 % for beløb mellem 80 001 og 100 000 RON (25 000 EUR) 1 % for beløb, der overstiger 100 000 RON.
Gældsinddrivelse ved retsforfølgning /udlæg i <b>fast ejendom</b>	<b>Minimumshonorarer</b> 150 RON (37,5 EUR) for krav på højst 1 000 RON (250 EUR) 150 RON (37,5 EUR) plus 2 % af det beløb, hvormed beløbet overstiger 1 000 RON, for krav på over 1 000 RON.	<b>Maksimumshonorarer</b> Op til 10 % for beløb, der ikke overstiger 50 000 RON (12 500 EUR) 3 % for beløb mellem 50 001 og 80 000 RON (20 000 EUR) 2 % for beløb mellem 80 001 og 100 000 RON (25 000 EUR) 1 % for beløb, der overstiger 100 000 RON.

#### Tekniske retseksperter

**De tekniske retseksperter honorarer varierer.** Det endelige honorar for den tekniske retsekspertise fastsættes af det organ, som har begæret ekspertisen gennemført, afhængigt af arbejdets sværhedsgrad og omfang og den tekniske retseksperter erhvervsmæssige eller videnskabelige kvalifikationer.

Den tekniske retsekspertise gennemføres på begæring af domstolene, strafferetlige organer eller andre organer med retlige beføjelser til at fastslå de faktiske kendsgerninger og andre forhold omkring en sag, ved udnævnelse af tekniske retseksperter, som er godkendt af justitsministeriet.

Den berørte part har ret til at begære, at der i ekspertisen, ud over den udnævnte tekniske retsekspert, deltager en teknisk retsekspert eller specialist, som den pågældende part selv har udpeget som rådgiver og selv betaler, og som er godkendt af det retlige organ, der har begæret ekspertisen gennemført. Den rådgivende tekniske retseksperter honorar fastsættes af den berørte part og ekspertisen i fællesskab på grundlag af deres kontraktforhold og betales af den part, der har udpeget ekspertisen.

#### Faste omkostninger

**Faste omkostninger for sagens parter i civile sager**

**Faste omkostninger ved sagsanlæg ved domstolene: retsafgifter og stempelafgift**

Krav, der indbringes for domstolene, og som er underlagt retsafgifter, skal påføres et retsstempel.

#### Retsafgifter

**Retsafgifter** kan variere fra 0,5 EUR til over 1 500 EUR.

For **krav, der kan fastsættes finansielt** (f.eks. i sager om underholdsbidrag, kommercielle sager), afhænger retsafgifterne af kravets værdi:

Kravets værdi	Retsafgifter
Op til 39 RON	2 RON
30,01 – 388 RON	2 RON plus 10 % af den del af kravets værdi, der ligger over 39 RON
388,01 – 3 879 RON	37 RON plus 8 % af den del af kravets værdi, der ligger over 388 RON
3 879,01 – 19 395,00 RON	316 RON plus 6 % af den del af kravets værdi, der ligger over 3 879 RON
19 395,01 – 38 790,00 RON	1 247 RON plus 4 % af den del af kravets værdi, der ligger over 19 395 RON
38 790,01 – 193 948,00 RON	2 023 RON plus 2 % af den del af kravets værdi, der ligger over 38 790 RON
Over 193 948,00 RON	5 126 RON plus 1 % af den del af kravets værdi, der ligger over 193 948 RON

For krav i tilknytning til **familie Lovgivningen** er retsafgifterne:

Ved skilsmisse som følge af forringelse af familief forholdene eller skilsmisse aftalt mellem parterne (den rumænske familielov § 38, stk. 1 og 2)	39 RON (10 EUR)
Ved skilsmisse som følge af en af parternes manglende evne til at opfylde sine familiemæssige forpligtelser på grund af alvorlig sygdom (den rumænske familielov § 38, stk. 3) og skilsmisse som følge af en af parternes lave indkomst (lavere end den nationale bruttomindsteløn) eller manglende indkomst	8 RON (2 EUR)
Ved forældremyndighed over børn, ved fastsættelse af det mindreårige barns bopæl og ved anerkendelse af børns ret til at benytte forældrerens navn	6 RON (2,5 EUR)

**Stempelafgift** (omkring 1 EUR) – ligger mellem 1,5 RON og 5 RON

**Retsafgørelser – udgift til afgørelse** (omkring 1 EUR)

Retsafgørelser, stævninger og forkyndelser kommunikerer **gratis** til parterne, vidner, eksperter og alle andre personer eller institutioner, der er involveret i tvisten.

Der skal betales for at konsultere eller kopiere dokumenter fra retslisten og attester fra justitssekretærens kontor (maksimalt 4 RON).

**Udgift til erhvervelse af en bekræftet afgørelse** (mindre end 1 EUR)

Anmodninger til domstolene om at levere kopier af endelige og uigenkaldelige retsafgørelser	Stemplet med en retsafgift på 2 RON
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**Andre sagsanlæg: faste omkostninger**

**Honorarer til oversættere og tolke**

**1. Oversætter- og tolkehonorarer**

Fastsættes af retten i den afgørelse, hvorved tolken eller oversætteren udpeges. Minimumssatsen på 20 RON hæves i følgende situationer:

Med 50 % for oversættelser til og fra et orientalsk sprog (japansk, kinesisk) eller et sjældent sprog eller for hasteoversættelser (inden for 24-48 timer)

Med 100 % for simultantolkning eller for tjenester i løbet af weekender, helligdage eller fridage eller mellem kl. 22.00 og 6.00.

De nøjagtige tariffer er:

For autoriserede tolke	23,15 RON (omkring 6 EUR) i timen eller, hvis det er relevant, for mindre end en time (timefraktioner)
For oversættelser	33,56 RON (omkring 8 EUR) pr. side

Hvor det kræves i henhold til loven, tillægges disse beløb moms.

**2. Fogedhonorarer**

Honorarerne afhænger af det arbejde, der er forbundet med tvangsfuldbyrdelsen af en domstolsafgørelse eller af et dokument med eksekutionskraft i henhold til lovgivningen. En honorarskala fastsættes dog af justitsministeriet efter høring af [den nationale fogedsammenslutning](#). Jf. afsnittet om fogedhonorarer ovenfor.

Appeller

Omkostningerne til en retssag i første instans svarer til dem, der skal betales ved en appelprocedure, men beløber sig til 50% af omkostningerne ved retssagen.

**Tidspunkt i en civil sag, hvor sagens parter skal betale faste omkostninger**

**1. Retsafgifter**

De skal **betales på forhånd**, inden modtagelse, behandling eller udstedelse af den relevante dokumentation eller udførelse af den krævede tjeneste. I praksis betaler ansøgeren den retsafgift, den pågældende anser for at være korrekt, ved indgivelse af krav. Ved det første retsmøde fastsætter retten de lovpligtige retsafgifter, der skal betales, og anmoder behørigt den pågældende part om at betale et eventuelt manglende beløb.

**2. Fogedhonorarer**

Udgifterne i tilknytning til eksekution skal betales på forhånd af den part, der har anmodet herom. Forhåndsbetaling af fogedernes honorarer kan dog ikke være en betingelse for fuldbyrdelse af en domstolsafgørelse.

**3. Tolkehonorarer**

Den part, der har anmodet om tolkeydelser, skal betale det af retten fastsatte honorar, rejseudgifter eller tolkehonorarerne inden for 5 dage fra fastsættelsen af honoraret.

**4. Ekspertehonorarer**

Det beløb, der er fastsat som foreløbigt honorar og eventuelt forskud på rejseomkostningerne, skal inden fem dage fra udnævnelsen af den tekniske retsekspert indbetales af den part, der har begæret ekspertisen gennemført, på en særlig konto, som er oprettet til netop dette formål af det lokale kontor for rets- og regnskabsteknisk ekspertise. Retten kan også bestemme, at omkostningerne skal afholdes af begge parter.

Det endelige honorar for den retstekniske ekspertise fastsættes af det organ, som har begæret ekspertisen gennemført, afhængigt af arbejdets sværhedsgrad og omfang og ekspertens eller specialistens erhvervsmæssige eller videnskabelige kvalifikationer.

**Faste omkostninger i straffesager**

**Faste omkostninger for sagens parter i straffesager**

Der er ingen faste omkostninger for sagens parter i straffesager.

**Faste omkostninger i forfatningssager**

**Faste omkostninger for sagens parter i forfatningssager**

Der er ingen faste omkostninger i forfatningssager.

**Pligt for advokater og andre partsrepræsentanter til at oplyse herom på forhånd**

**Parternes rettigheder og forpligtelser**

I Rumænien har partsrepræsentanterne **ikke nogen direkte forpligtelse** til på forhånd at informere parterne om deres rettigheder og pligter, deres udsigt til at vinde sagen og sagsomkostningerne. I henhold til advokatstandens regler har advokaten dog **pligt** til at rådgive sin klient på en præcis, samvittighedsfuld, korrekt og påpasselig måde.

**Omkostningskilder**

**Hvor kan jeg finde oplysninger om omkostningskilder i Rumænien?**

**Information om de forskellige omkostningskilder er ikke let tilgængelig, da den ikke er offentliggjort på de offentlige institutioners websteder eller nævnt i pjecer.** Information kan indhentes direkte fra personer, der arbejder på området, eller fra følgende love om sagsomkostninger.

**Retsafgifter og stempelafgift** reguleres ved lov nr. 146/1997 om retsafgifter og regeringsbekendtgørelse nr. 32/1995 om stempelafgift.

**advokatsalærer** reguleres ved [lov nr. 188/2000](#) om fogeder og ved bekendtgørelse nr. 2550/C af 14. november 2006 om vedtagelse af minimums- og maksimumshonorarer for fogedtjenester.

**tekniske retseksperter honorarer** reguleres af den civile retsplejelov og regeringsbekendtgørelse nr. 2/2000 om organisation af den retlige og udenretlige faglige ekspertise.

**Oversætter- og tolkehonorarer** reguleres af den civile retsplejelov, af lov nr. 178 og af [bekendtgørelse nr. 772 af 5. marts 2009](#) om fastsættelse af autoriserede tolkes og oversætteres honorarer.

## På hvilke sprog kan jeg finde oplysninger om omkostningskilder i Rumænien?

Love, der regulerer omkostningerne, findes kun på rumænsk.

## Hvor kan jeg finde oplysninger om mediation?

Mediation reguleres af lov nr. 192/2006 om mediation og organisation af mediatorerhvervet. I denne bestemmes det, at mediatoren har ret til få udbetalt et **salær, der aftales med parterne**, samt til at få godtgjort udgifter, der afholdes i forbindelse med mediationen.

## Hvor kan jeg finde yderligere oplysninger om omkostninger?

### Hvor kan jeg finde oplysninger om de forskellige procedurers gennemsnitlige varighed?

Statistiske oplysninger om den gennemsnitlige varighed af retssager kan findes i årsberetningen om det rumænske retssystem, der findes på rumænsk på det øverste retsråds offentligt tilgængelige websteder (jf. kapitel 3.4 med titlen [Kvalitetsindikatorer for retssystemet](#), side 155-162).

## Merværdiafgift

Sagsomkostninger tillægges ikke merværdiafgift eller stempelafgift, og det gør de advokatsalærere, der fremgår af kontrakten om juridisk bistand, heller ikke. Ved oversættelse af dokumenter tillægges honoraret moms, når det kræves i henhold til lovgivningen.

## Retshjælp

### Gældende indkomstgrænse på det civile retlige område

Gennemsnitlig nettomånedsløn pr. familiemedlem	Betingelser for indrømmelse af retshjælp
Under 500 RON (omkring 125 EUR)	Indkomstniveauet skal ligge under tærsklen i mindst 2 måneder, inden sagen indbringes for domstolen, og i dette tilfælde afholdes omkostninger <b>fuldt ud af staten</b> .
Under 800 RON (omkring 200 EUR)	Indkomstniveauet skal ligge under tærsklen i mindst 2 måneder, inden sagen indbringes for domstolen, og i dette tilfælde afholdes <b>50 % af omkostningerne af staten</b> .

Retshjælp indrømmes også:

Når de faste eller samlede skønnede omkostninger i forbindelse med retssagen kan begrænse personens forfatningsmæssige **ret til en effektiv adgang til retlig prøvelse**

Når personens ret til retlig prøvelse kan begrænses som følge af **forskelle i leveomkostninger** mellem opholdsmedlemsstaten og Rumænien.

Uanset personens indkomst, når en særlov indeholder bestemmelser om ret til retshjælp eller gratis retshjælp som en **beskyttelsesforanstaltning for personen** (hvis personen er mindreårig eller handicappet eller på anden måde befinder sig i en særlig situation).

### Gældende indkomstgrænse på det strafferetlige område for tiltalte

**Tærskelbegrebet finder kun anvendelse i civile spørgsmål.** I strafferetlige spørgsmål findes de vigtigste lovbestemmelser, der regulerer dette område, i § 171 i strafferetsplejeloven. Retshjælp indrømmes **den anklagede**, når:

den pågældende er mindreårig

den pågældende må anbringes i et genopdragelsescenter eller en medicinsk uddannelsesinstitution

den pågældende allerede er blevet arresteret eller varetægtsfængslet i forbindelse med andre strafferetssager

den pågældende er blevet indlagt af lægelige hensyn eller modtager tvungen medicinsk behandling

efterforskningsmyndigheden eller domstolen mener, at den anklagede ikke er i stand til at føre sit eget forsvar

strafferammen for den påståede lovovertrædelse er fængsel på livstid eller en fængselsstraf på mindst 5 år.

### Gældende indkomstgrænse på det strafferetlige område for ofre

**Tærskelbegrebet finder ikke anvendelse** på ofre på det strafferetlige område. Relevante lovbestemmelser, der regulerer dette område, er indeholdt i § 173 i strafferetsplejeloven.

## Omkostningsfrie retssager

### Følgende krav er ved lov fritaget for alle sagsomkostninger:

Alle krav vedrørende 1) beskyttelse og fremme af børns rettigheder (reguleret ved lov nr. 272/2004 om fremme og beskyttelse af børns rettigheder), 2) vægemål, 3) formynderskab, 4) bistand, der ydes til alvorligt mentalt syge (handicappede) personer

Krav i tilknytning til lovpligtig eller kontraktlig underholdspligt og alle krav i tilknytning til adoption (reguleret ved lov nr. 273/2004 om adoption)

Andre krav omfattet af forskellige love.

### Hvornår skal den tabende part betale den vindende parts omkostninger?

I **civile sager** findes reglerne om tilkendelse af omkostningsdækning eller godtgørelse af omkostninger i § 274-276 i den **civile retsplejelov**. I princippet er den tabende part forpligtet til (på anmodning) at betale sagsomkostningerne

kan domstolen ikke nedsætte retsafgiften eller nogen af de øvrige udgifter, som den vindende part har afholdt

skal en sagsøgt, som har erkendt sagsøgerens krav ved første retsmøde, ikke betale sagsomkostningerne, medmindre han eller hun har modtaget en officiel forkyndelse fra fogeden via den særlige procedure forud for domsafsigelse, der er beskrevet ovenfor

I **strafferetssager** findes reglerne om tilkendelse af omkostningsdækning eller godtgørelse af omkostninger i § 189-193 i **strafferetsplejeloven**. I princippet er udgifter, der er nødvendige i forbindelse med processkrifter, bevisoptagelse, sikring af vigtige beviser, advokatsalærere samt alle andre omkostninger i tilknytning til strafferetssager omfattet af de beløb, som staten eller parterne betaler

hvis anklagede dømmes skal denne dække statens sagsomkostninger, undtagen når der er tale om udgifter til tolke udpeget af de retlige organer, og i tilfælde, hvor der er indrømmet fri proces

hvis anklagede frifindes eller strafferetssagen afbrydes, betales statens sagsomkostninger således:

I **tilfælde af frifindelse**: af (a) offeret, i det omfang, han/hun selv har givet anledning hertil, (b) den civile part, hvis civile krav blev fuldstændig forkastet, i det omfang, denne part forårsagede omkostningerne, (c) anklagede, når han/hun, selv om han/hun frifindes, stadig er forpligtet til at betale skadeserstatning.

Hvis strafferetssagen **afbrydes**: af (a) anklagede, hvis det strafferetlige ansvar er bortfaldet, eller der er grund til straffritagelse, (b) begge parter i tilfælde af forlig, (c) offeret, hvis klagen trækkes tilbage eller blev indgivet for sent til domstolen.

I **tilfælde af amnesti**, forældelse eller tilbagetrækning af klagen samt i tilfælde, hvor der findes en grund til straffritagelse, hvis den anklagede kræver en videreførelse af strafferetssagen, kan sagsomkostningerne dækkes af offeret eller den anklagede afhængigt af andre tilknyttede lovbestemmelser.

I alle andre tilfælde afholder staten sine egne sagsomkostninger.

### Tekniske retseksperterers honorarer

I artikel 274 i den civile retsplejelov er det fastsat, at den tabende part på begæring er forpligtet til at betale sagsomkostningerne, herunder honorarer til de tekniske retseksperter, som den vindende part har betalt honorar til.

## Relevante dokumenter

Sidste opdatering: 04/11/2020

De nationale sprogudgaver af denne side vedligeholdes af de respektive EU-lande. Oversættelserne er lavet af Europa-Kommissionen. Eventuelle ændringer af originalen, som de kompetente nationale myndigheder har lavet, er muligvis ikke gengivet i oversættelserne. Europa-Kommissionen påtager sig ingen form for ansvar for oplysninger eller data, der optræder i nærværende dokument, eller hvortil der henvises heri. Med hensyn til de ophavsretlige regler i den medlemsstat, der er ansvarlig for nærværende side, henvises der til den juridiske meddelelse.

### Case study 1 - family law - divorce - Romania

In this case study on family law – divorce, Member States were asked to advise the party that files for divorce on litigation costs in order to consider the following situations:

Case A – National situation: a couple gets married. Later they separate and agree to a divorce.

Case B – Transnational situation: Two nationals from a same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

**NOTE – 1.**The answers pertaining to all the case studies were provided assuming that the claim is made in the Romanian courts **2.** For better comprehension, the calculation of costs took into account the following hypothetical currency rate – EUR 1 = RON 4 (Romanian currency).

#### 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
Case A	<b>RON 39.3 (approximately EUR 10)</b> comprising RON 39 (court fee) and RON 0.3 (stamp duty) Exception – <b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fees) and RON 0.3 (stamp duty), if the party does not have an income or the income is lower than the minimum national gross salary	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks) <b>photocopying charges (varying between EUR 0.05 and EUR 1.25 per copy)</b> must be paid	<b>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>Supralegalisation – RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) - only if it is necessary for the party</b>	The decision cannot be appealed in this case, as the divorce is agreed by both parties
Case B	<b>RON 39.3 (approximately EUR 10)</b> comprising RON 39 (court fee) and RON 0.3 (stamp duty) Exception – <b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fees) and RON 0.3 (stamp duty) if the party does not have an income or the income is lower than the minimum national gross salary	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), <b>photocopying costs (varying between EUR 0.05 and EUR 1.25 per each copy)</b> must be paid	<b>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>Supralegalisation – RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) only if it is necessary for the party</b>	The decision cannot be appealed in this case, as the divorce is agreed by both parties.

Case Study	ADR	
	Is this option open for this type of case?	Costs
Case A	Yes	Costs are provided for in the mediation contract, as agreed by the parties and the mediator
Case B	Yes	Costs are provided for 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	Not applicable in this case
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	Not applicable in this case

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	Yes. However, this case does not require witnesses.	Not applicable in this case	Not applicable in this case	Not applicable in this case
Case B	Yes. However, this case does not require witnesses.	Not applicable in this case	Not applicable in this case	Not applicable in this case

**Costs for legal aid and other reimbursement**

Case study	Legal Aid		
	When and under which conditions is it applicable?	When is support total?	Conditions?
Case A	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached
Case B	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached

Case study	Reimbursement			
	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 organisation?
Case A	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	NO
Case B	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	Not applicable in this case, as the parties consent to divorce (divorce is agreed by both parties)	NO

**Costs for translation and interpretation**

Case study	Translation	
	When and under which conditions is it necessary?	Approximative cost?
Case A	Not applicable in this case	Not applicable in this case.
Case B	When documents submitted to the court (part of the case dossier) are written in another language	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 RON <b>33.56</b> (approximately EUR 8) per page in A4 format should be paid

Case study	Interpretation		Other costs specific to cross-border disputes?	
	When and under which conditions is it necessary?	Approximative cost?	Description	Approximative cost?
Case A	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)	-	-
Case B	If at least one of the parties does not speak Romanian.	RON 23.15 per hour (approximately EUR 6)	Yes, but are supported by the state	-

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### Case study 2 - family law - custody of the children - Romania

In this case study on family law – custody of the children, Member States were asked to advise the suing party on litigation costs 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 and a right of access to the father. The mother sues to limit the father's right of access.

Case B – Transnational situation where you are a lawyer in Member State A: Two persons have lived together unmarried in a Member State (Member State B) for a number of years. They have a child together but separate immediately after the child's birth. A court decision in Member State B gives the child's custody to the mother with a right of access to the father. The mother and the child move to live in another Member State (Member State A) as authorised to do so by the Court decision and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's right of access.

#### 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
Case A	RON 8.3 (approximately EUR 2) comprising RON 8 (court fee) and RON 0.3 (stamp duty)	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	1. <b>Legalisation – Attestation</b> in order to obtain an authenticated court decision – RON 2.15 (approximately EUR 0.5) comprising RON 2 (court fee) and RON 0.15 (stamp duty) 2. Investing the court decision with an enforceable formula – RON 4.15 (approximately EUR 1) comprising RON 4 (court fee) and RON 0.15 (stamp duty) 3. Supra-legalisation – RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party	50% of RON 8.3 (approximately EUR 1)	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	RON 8.3 (approximately EUR 2) comprising RON 8 (court fee) and RON 0.3 (stamp duty)	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	1. <b>Legalisation – Attestation</b> in order to obtain an authenticated court decision – RON 2.15 (approximately EUR 0.5) comprising RON 2 (court fee) and RON 0.15 (stamp duty) 2. Investing the court decision with an enforceable formula – RON 4.15 (approximately EUR 1) comprising RON 4 (court fee) and RON 0.15 (stamp duty) 3. Supra-legalisation – RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party	50% of RON 8.3 (approximately EUR 1)	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 Study	ADR	
	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 for 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 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</b> – RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)

					<b>Bailliff's fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee</b>
<b>Case B</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), comprising RON 10 (court fee) and RON 0.3 (stamp duty) Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100) Bailliff's fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee</b>

<b>Case Study</b>	<b>Expert</b>
	<b>Is use compulsory? Cost</b>
<b>Case A</b>	NO Not applicable in this case
<b>Case B</b>	NO Not applicable in this case

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

<b>Case Study</b>	<b>Witness compensation</b>		<b>Pledge or security</b>	
	<b>Are witnesses compensated?</b>	<b>Cost</b>	<b>Does this exist and when and how is it used?</b>	<b>Cost</b>
<b>Case A</b>	Yes	Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence	<b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fee) and RON 0.3 (stamp duty)
<b>Case B</b>	Yes	Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence	<b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fee) and RON 0.3 (stamp duty)

**Costs for legal aid and other reimbursement**

<b>Case study</b>	<b>Legal Aid</b>		
	<b>When and under which conditions is it applicable?</b>	<b>When is support total?</b>	<b>Conditions?</b>
<b>Case A</b>	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached
<b>Case B</b>	Please see annex 1 attached	Please see annex 1 attached	Please see annex 1 attached

<b>Case study</b>	<b>Reimbursement</b>			
	<b>Can the winning party obtain reimbursement of litigation costs?</b>	<b>If reimbursement is not total what is percentage in general?</b>	<b>What costs are never reimbursed?</b>	<b>Are there instances when legal aid should be reimbursed to the legal aid organisation?</b>
<b>Case A</b>	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>	Yes	In general 100% of the costs are reimbursed		NO



			If the mother wins, all the costs borne by her can be recovered from the father in this case	
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#### 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	Approximative cost?
<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 the 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 RON 33.56 (approximately EUR 8) per page in A4 format should be paid.	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 borne by the state	-

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#### Case study 3 - family law - alimony - Romania

In this case study on family law – alimony, Member States were asked to advise the suing party on litigation costs 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
<b>Case A</b>	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) 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</b>	No court fees	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid	-

			EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party			
<b>Case B</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	

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

**Costs for lawyer, bailiff and expert**

<b>Case Study</b>	<b>Lawyer</b>		<b>Bailiff</b>		
	<b>Is representation compulsory ?</b>	<b>Average costs</b>	<b>Is representation compulsory?</b>	<b>Pre-judgment costs</b>	<b>Post-judgment costs</b>
<b>Case A</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 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>
<b>Case B</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>

					Bailiff's fees – RON 50 (approximately EUR 12.5) minimum fee and RON 500 (approximately EUR 125) maximum fee
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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?
Case A	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
Case 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
Case A	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.	<b>RON 23.15 per hour (approximately EUR 6)</b>	

<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	<b>RON 23.15 per hour (approximately EUR 6)</b>	Yes, but are supported by the State
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#### Case study 4 - commercial law - contract - Romania

In this case study on commercial law – contract, Member States were asked to advise the seller on litigation costs in order to consider the following situations:  
Case A – National situation: A company delivered goods worth 20.000 euros. The seller has not been paid because the buyer considers that the goods do not conform to what was agreed.

The seller decides to sue to obtain the full payment of the price.

Case B – Transnational situation: A company whose head office is located in Member State B delivers goods worth 20.000 euros to buyer in Member State A. The contract is subject to Member State B's law and written in Member State B's language. This seller has not been paid because the buyer located in Member State A considers that the goods do not conform to what was agreed. The seller decides to sue in Member State A to obtain full payment of the price as provided under the contract with the buyer.

#### 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
<b>Case A</b>	<b>RON 2,849.1998 (approximately EUR 710),</b> comprising RON 2,844.1998 (court fee) and RON 5 (stamp duty)	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) must be paid</b>	<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	<b>50% of the initial court fees, namely RON 1,424.5999 (approximately EUR 355)</b>	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid
<b>Case B</b>	<b>RON 2,849.1998 (approximately EUR 710),</b> comprising RON 2,844.1998 (court fee) and RON 5 (stamp duty)	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) 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) comprising RON 4 (court fee) and RON 0.15 (stamp duty)</b> <b>3. Supra-legalisation – RON 1.15 (approximately EUR 0.25) comprising RON 1 (court fee) and RON 0.15 (stamp duty) – only if it is necessary for the party</b>	<b>50% of the initial court fees, namely RON 1,424.5999 (approximately EUR 355)</b>	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid

Case study	ADR	
	Is this option open for this type of case?	Costs
<b>Case A</b>	Yes	Costs are provided for in the mediation contract, as agreed by the parties and the mediator
<b>Case B</b>	Yes	Costs are provided for in the mediation contract, as agreed by the parties and the mediator

Costs for lawyer, bailiff and expert

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory ?	Average costs	Is representation compulsory?	Pre-judgment costs	Post-judgment costs	Is use compulsory?	Cost
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 judgment) can be subject to enforcement, if the losing party 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> Bailiff's fees - <b>maximum RON 2400 (approximately EUR 600)</b>	NO	Variable cost which will be established by the court, depending on the complexity of the expertise.
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 does not execute it willingly	Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty) Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100) Bailiff's fees - maximum RON 2400 (approximately EUR 600)	NO	Variable cost, established by the court depending on the level of expertise required

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	Yes			

		Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence (proofs of such preserved documents)	RON 8.3 (approximately EUR 2) comprising RON 8 (court fee) and RON 0.3 (stamp duty)
			If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5) comprising RON 10 (court fee) and RON 0.3 (stamp duty)
Case B		Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence (proofs of such preserved documents)	RON 8.3 (approximately EUR 2) comprising RON 8 (court fee) and RON 0.3 (stamp duty)
	Yes		If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5) comprising RON 10 (court fee) and RON 0.3 (stamp duty)

#### Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under which conditions is it applicable?	When is support total?	Conditions?
Case A	Not applicable	Not applicable	Not applicable
Case B	Not applicable	Not applicable	Not applicable

Case study	Reimbursement			
	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 when legal aid should be reimbursed?
Case A	Yes	In general 100% of the costs are reimbursed	All the costs can be reimbursed in this case. All the costs can be reimbursed, except for costs involved in the following situation: The buyer who admits the seller's claim at the first hearing need not pay the judicial costs, except where he or she was notified before the hearing Where the court partially accepts the claims of both parties, the court will determine to which extent the parties can be ordered to pay the trial costs, and can also order the compensation of the expenses. Moreover, the court has the right to increase or reduce a lawyer's fees where it finds that these are unreasonably low or high in relation to the value of the case or the work carried out by the lawyer.	NO
Case B	Yes	In general 100% of the costs are reimbursed	All the costs can be reimbursed in this case. All the costs can be reimbursed, except for costs involved in the following situation: The buyer who admits the seller's claim at the first hearing need not pay the judicial costs, except where he or she was notified before the hearing Where the court partially accepts the claims of both parties, the court will determine to which extent the parties can be ordered to pay the trial costs, and can also order the compensation of the expenses. Moreover, the court has the right to increase or reduce a lawyer's fees where it finds that these are unreasonably low or high in relation to the value of the case or the work carried out by the lawyer.	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
Case A					-

	In general, not applicable in this case	In general, 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 a party contests the accuracy of the 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 RON 33.56 (approximately EUR 8) per page in A4 format should be paid	If at least one of the parties does not speak Romanian. State A = Romania	RON 23.15 per hour (approximately EUR 6)	Yes, they are borne by the State

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#### Case study 5 - commercial law - responsibility - Romania

In this case study on commercial law – responsibility, Member States were asked to advise the customer on litigation costs in order to consider the following situations:

**Case A – National situation:** A heating equipment manufacturer delivers a heater to an installer. The installer on-sells (and installs) the heater to a customer to equip his/her house. The house catches fire shortly thereafter. Every participant (heating equipment manufacturer, installer, end-customer) is insured. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies.

**Case B – Transnational situation:** A heating equipment manufacturer in a Member State B delivers heater to an installer in a Member State C. The installer on-sells the heater (and installs) the heater to a customer in Member State A to equip his/her house. The house catches fire shortly thereafter. Each participant (heating equipment manufacturer, installer, end-customer) is insured by an insurance company in its own Member State. The origin of the fire is contested. Nobody wants to compensate the customer.

The customer decides to sue in Member State A for full compensation the heating equipment manufacturer, the heating equipment installer and the insurance companies in Member State A.

#### Costs in Romania

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

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
<b>Case A</b>	The initial costs for bringing the action before the court (comprising court fee and stamp duty) depend on the amount (value) of the claim, as estimated by the applicant. <b>These may vary between around EUR 0.5 and over EUR 1300</b>	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) must be paid</b>	<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
<b>Case B</b>	The initial costs for bringing the action before the court (comprising court fee and stamp duty) depend on the amount (value) of the claim, as estimated by the applicant. <b>These may vary between around EUR 0.5 and over EUR 1300</b>	In order to obtain simple copies of various procedural documents drafted by specialised court personnel (clerks), the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) 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

Case Study	Appeals			ADR	
	Initial court fees	Transcription fees	Other fees	Is this option open for this type of case?	Costs
<b>Case A</b>	<b>50% of the initial costs</b> for bringing the action before the court	In order to obtain simple copies of various procedural	-	Yes	

		documents drafted by specialised court personnel (clerks), <b>the photocopying costs (varying between EUR 0.05 and EUR 1.25 per copy) must be paid</b>			Costs are provided for in the mediation contract, as agreed by the parties and the mediator
<b>Case B</b>	50% of the initial costs for bringing the action to the court.	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) must be paid</b>	-	Yes	

**Costs for lawyer, bailiff and expert**

Case Study	Lawyer		Bailiff			Expert	
	Is representation compulsory ?	Average costs	Is representation compulsory ?	Pre-judgment costs	Post-judgment costs	Is use compulsory ?	Cost
<b>Case A</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 does not execute it willingly	<b>Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty)</b> <b>Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)</b> Bailiff's fees - <b>depends on the sum awarded by the court as compensation</b>	Yes	Variable costs, established by the court depending on the level of expertise required
<b>Case B</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 does not execute it willingly	<b>Granting enforcement of the court decision – RON 10.3 (approximately EUR 2.5), comprising RON 10 (court fee) and RON 0.3 (stamp duty)</b> <b>Notification– RON 20 minimum fee (approximately EUR 5) and RON 400 maximum fee (approximately EUR 100)</b> Bailiff's fees - <b>depends on the sum awarded by the court as compensation</b>	Yes	Variable costs, established by the court depending on the level of expertise required

**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
<b>Case A</b>	Yes	Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence (proofs such as preserved documents)	<b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fee) and RON 0.3 (stamp duty)
			If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5) comprising RON 10 (court fee) and RON 0.3 (stamp duty)
<b>Case B</b>	Yes	Transport costs are reimbursed and, if the witness so requests, compensation for the time spent in court may also be recovered (depending on sources of income – e.g. employment contract etc)	Eventual requests for insuring evidence (proofs such as preserved documents)	<b>RON 8.3 (approximately EUR 2)</b> comprising RON 8 (court fee) and RON 0.3 (stamp duty)
			If the party requests the grant of insurance measures (insuring sequester, garnishment)	RON 10.3 (approximately EUR 2.5) comprising RON 10 (court fee) and RON 0.3 (stamp duty)



Costs for legal aid and other reimbursement

	Legal Aid		
Case study			
	When and under which conditions is it applicable?	When is support total?	Conditions?
Case A	If the applicant is a natural person, please see annex 1 attached	If the applicant is a natural person, please see annex 1 attached	If the applicant is a natural person, please see annex 1 attached
Case B	If the applicant is a natural person, please see annex 1 attached	If the applicant is a natural person, please see annex 1 attached	If the applicant is a natural person, please see annex 1 attached

	Reimbursement			
Case study				
	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 organisation?
Case A	Yes	In general 100% of the costs are reimbursed.	All the costs can be reimbursed in this case All the costs can be reimbursed, except for costs relating to the following situation: The sued party who admitted the applicant's claim at the first hearing need not pay judicial costs, except where the sued party was notified before the hearing In the case when the court partially accepts the claims of both parties, the court will determine to which extent the parties can be ordered to pay the trial costs. The court can also order the compensation of the expenses. Moreover, the court has the right to increase or to reduce the lawyers' fees if they are found to be unreasonably low or high in relation to the value of the case or the work undertaken by the lawyer	NO
Case B	Yes	In general 100% of the costs are reimbursed	All the costs can be reimbursed, except for costs relating to the following situation: The sued party who admitted the applicant's claim at the first hearing need not pay judicial costs, except where the sued party was notified before the hearing In the case when the court partially accepts the claims of both parties, the court will determine to which extent the parties can be ordered to pay the trial costs. The court can also order the compensation of the expenses. Moreover, the court has the right to increase or to reduce the lawyers' fees if they are found to be unreasonably low or high in relation to the value of the case or the work undertaken by the lawyer	NO

Costs for translation and interpretation

	Translation		Interpretation		Other costs specific to cross-border disputes?
Case study					
	When and under which conditions is it necessary?	Approximative cost?	When and under which conditions is it necessary?	Approximative cost?	Description
Case A	In general, not applicable in this case	In general, 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)	
Case B		The costs may vary according to the translation	If at least one of the parties does not speak	RON 23.15 per hour (approximately EUR 6)	Yes, they are borne by the state

<p>1. When documents submitted to the court (part of the case dossier) are written in another language.</p> <p>2. In addition, when a party contests the accuracy of the document translated into Romanian, the court may request the translation of the document by an authorised translator.</p>	<p>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></p>	<p>Romanian. State A = Romania</p>		
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