

Αρχική σελίδα>Προσφυγή στη δικαιοσύνη>Πού και πώς>Έξοδα Έξοδα

Λιθουανία

Στην παρούσα σελίδα παρέχονται πληροφορίες σχετικά με το κόστος των δικαστικών διαδικασιών στη Λιθουανία.

Οικογενειακό δίκαιο - διαζύγιο

Οικογενειακό δίκαιο – επιμέλεια των τέκνων

Οικογενειακό δίκαιο - διατροφή

Εμπορικό δίκαιο – σύμβαση

Εμπορικό δίκαιο – ευθύνη

Ρύθμιση των αμοιβών των νομικών επαγγελματιών

1. Solicitors

Το επάγγελμα αυτό δεν υπάρχει στη Λιθουανία.

2. Δικηγόροι

Στη Λιθουανία οι αμοιβές των δικηγόρων δεν διέπονται από κανονιστικές ρυθμίσεις. Εξαρτώνται από τον βαθμό πολυπλοκότητας της υπόθεσης και από τα επίδικα ποσά. Εντούτοις, οι αμοιβές δεν μπορούν να υπερβαίνουν το ανώτατο όριο το οποίο προβλέπεται στις συστάσεις που έχουν εγκρίνει το **Υπουργείο Δικαιοσύνης** και ο **πρόεδρος του Συμβουλίου του Δικηγορικού Συλλόγου της Λιθουανίας**.

3. Barristers

Το επάγγελμα αυτό δεν υπάρχει στη Λιθουανία.

4. Δικαστικοί επιμελητές

Ο δικαστικός επιμελητής παρεμβαίνει μόνο σε περίπτωση που ο οφειλέτης δεν συμμορφώνεται προς την απόφαση και πρέπει να επιδοθούν νομικώς εκτελεστά έγγραφα. Οι αμοιβές, η εξόφλησή τους και η απαλλαγή από τα έξοδα εκτέλεσης ρυθμίζονται από τις **υποδείξεις περί εκτέλεσης των αποφάσεων**.

Όλα τα έξοδα εκτέλεσης πρέπει να καταβάλλονται από τον πιστωτή του οποίου η απαίτηση έχει κατοχυρωθεί με δικαστική απόφαση. Η αμοιβή του δικαστικού επιμελητή πρέπει να εισπράττεται από τον οφειλέτη κατά τη διάρκεια της εκτέλεσης της απόφασης ή αφού αυτή ολοκληρωθεί.

Το ύψος της αμοιβής εξαρτάται από τον τύπο της εκτέλεσης και τον αριθμό των εκτελέσεων. Ορισμένα έξοδα εκτέλεσης είναι πάγια: ορισμένα ανέρχονται στο ποσό των 60 λιθουανικών λίτας την ώρα, ενώ κάποια άλλα καθορίζονται βάσει ποσοστού επί της αξίας των περιουσιακών στοιχείων που αποτελούν αντικείμενο εκτέλεσης.

Πάγια έξοδα

Πάγια έξοδα σε αστικές διαδικασίες

Πάγια έξοδα των διαδίκων σε αστικές διαδικασίες

Τα έξοδα της δίκης σε **αστικές διαδικασίες** συνίστανται σε τέλος χαρτοσήμου και σε λοιπά έξοδα: εκπροσώπηση, επίδοση δικαστικών εγγράφων, αμοιβές εμπειρογνομόνων, μάρτυρες, εκτέλεση, κτλ. Το τέλος χαρτοσήμου καθορίζεται, σε ορισμένες περιπτώσεις, από τον Κώδικα Πολιτικής Δικονομίας και είναι πάγιο. Τα έξοδα της δίκης καθορίζονται στην ενότητα VIII του **Κώδικα Πολιτικής Δικονομίας** (Civilinio proceso kodeksas).

Στάδιο της αστικής διαδικασίας κατά το οποίο πρέπει να καταβάλλονται τα πάγια έξοδα των διαδίκων

Το τέλος χαρτοσήμου καταβάλλεται κανονικά πριν από την υποβολή αίτησης στο δικαστήριο.

Πάγια έξοδα σε ποινικές διαδικασίες

Πάγια έξοδα των διαδίκων σε ποινικές διαδικασίες

Δεν προβλέπονται πάγια έξοδα για τους διαδίκους στις ποινικές διαδικασίες.

Πάγια έξοδα σε συνταγματικές διαδικασίες

Πάγια έξοδα των διαδίκων σε συνταγματικές διαδικασίες

Οι συνταγματικές διαδικασίες είναι δωρεάν, αλλά δεν είναι διαθέσιμες στο ευρύ κοινό.

Πληροφορίες που πρέπει να παρέχονται εκ των προτέρων από τους συνηγούς Εκ των προτέρων παροχή πληροφοριών από νομικούς εκπροσώπους

Ο νόμος δεν προβλέπει τέτοια άμεση υποχρέωση.

Έξοδα της δίκης τα οποία βαρύνουν τον διάδικο που κέρδισε

Τα έξοδα των αστικών διαδικασιών καθορίζονται στην ενότητα VIII του Κώδικα Πολιτικής Δικονομίας.

Πηγές εξόδων

Πού μπορώ να βρω πληροφορίες για τις πηγές εξόδων στη Λιθουανία;

Περισσότερες πληροφορίες διατίθενται στη συνημμένη **έκθεση της Λιθουανίας σχετικά με τη Μελέτη για τη διαφάνεια των δαπανών**  (950 Kb) 

Σε ποιες γλώσσες μπορώ να πάρω πληροφορίες για τις πηγές εξόδων στη Λιθουανία;

Οι πληροφορίες είναι διαθέσιμες στα αγγλικά.

Πού μπορώ να βρω πληροφορίες σχετικά με τη διαμεσολάβηση;

Περισσότερες πληροφορίες θα βρείτε στο δικτυακό τόπο: **διαδικασία δικαστικής διαμεσολάβησης**

Νομική συνδρομή

Προϋποθέσεις παροχής νομικής συνδρομής

Σύμφωνα με τη νομοθεσία της Λιθουανίας, υπάρχουν δύο είδη εγγυημένης από το κράτος νομικής συνδρομής:

Η **«πρωτοβάθμια νομική συνδρομή»** (pirminė teisinė pagalba) καλύπτει την παροχή νομικής συνδρομής σύμφωνα με τη διαδικασία που προβλέπει ο νόμος περί εγγυημένης από το κράτος νομικής συνδρομής, την παροχή νομικών συμβουλών και τη σύνταξη σχεδίων εγγράφων προς υποβολή σε κρατικούς και δημοτικούς φορείς, εξαιρουμένων των δικονομικών εγγράφων. Η εν λόγω νομική συνδρομή καλύπτει επίσης την παροχή συμβουλών για την εξωδικαστική επίλυση διαφορών, ενέργειες για τον φιλικό διακανονισμό διαφορών και τη σύνταξη συμβιβαστικών συμφωνιών.

Η **«δευτεροβάθμια νομική συνδρομή»** (antrinė teisinė pagalba) καλύπτει τη σύνταξη εγγράφων, την υπεράσπιση και την εκπροσώπηση στο δικαστήριο. Σε αυτό το είδος νομικής συνδρομής περιλαμβάνονται η διαδικασία εκτέλεσης και εκπροσώπησης κατά τη διάρκεια του προκαταρκτικού εξωδικαστικού σταδίου μιας διαφοράς – στις περιπτώσεις όπου η διαδικασία αυτή επιβάλλεται από τη νομοθεσία ή από δικαστική απόφαση. Η εν λόγω νομική συνδρομή καλύπτει

επίσης τα έξοδα της δίκης σε αστικές διαδικασίες, τα έξοδα διοικητικών διαδικασιών και τα έξοδα που προκύπτουν από την εκδίκαση αστικής αγωγής στο πλαίσιο ποινικής υπόθεσης.

Δικαιούχοι **πρωτοβάθμιας νομικής συνδρομής ανεξαρτήτως των αποδοχών τους** είναι όλοι οι πολίτες της Δημοκρατίας της Λιθουανίας, οι πολίτες άλλων κρατών μελών της Ευρωπαϊκής Ένωσης, άλλα φυσικά πρόσωπα που διαμένουν νόμιμα στη Λιθουανία ή σε κράτη μέλη της ΕΕ και άλλα άτομα που προσδιορίζονται σε διεθνείς συνθήκες τις οποίες έχει συνάψει η Λιθουανία.

Αίτηση για δευτεροβάθμια νομική συνδρομή μπορούν να υποβάλουν όλοι οι πολίτες της Δημοκρατίας της Λιθουανίας, οι πολίτες άλλων κρατών μελών της Ευρωπαϊκής Ένωσης και άλλα φυσικά πρόσωπα που διαμένουν νόμιμα στη Λιθουανία ή σε άλλα κράτη μέλη της ΕΕ. Δευτεροβάθμια νομική συνδρομή δικαιούνται τα άτομα των οποίων **τα περιουσιακά στοιχεία και τα ετήσια εισοδήματα δεν υπερβαίνουν τα επίπεδα περιουσιακών στοιχείων και εισοδημάτων που προβλέπει η κυβέρνηση** στον νόμο περί παροχής εγγυημένης από το κράτος νομικής συνδρομής.

Επομένως, για την αξιολόγηση της πένιας χρησιμοποιείται κοινό σύστημα κατωφλίου (ανώτατο ποσό κάτω από το οποίο ο αιτών θεωρείται άπορος).

Ποιοι δικαιούνται νομική συνδρομή

Η κυβέρνηση έχει θεσπίσει **δύο επίπεδα περιουσιακών στοιχείων και εισοδημάτων**. Τα περιουσιακά στοιχεία και τα εισοδήματα του αιτούντος δεν πρέπει να υπερβαίνουν το πρώτο ή το δεύτερο επίπεδο που προβλέπει η νομοθεσία. Επιπλέον, το ετήσιο καθαρό εισόδημα του αιτούντος (κατά τους τελευταίους δώδεκα μήνες) δεν πρέπει να υπερβαίνει το πρώτο ή το δεύτερο επίπεδο εισοδήματος που προβλέπει η νομοθεσία της Λιθουανίας.

Η πένια δεν είναι το μοναδικό κριτήριο που χρησιμοποιείται προκειμένου να καθορισθεί εάν κάποιος δικαιούται δευτεροβάθμια νομική συνδρομή.

Δικαίωμα σε νομική συνδρομή **πρώτου επιπέδου** έχουν τα άτομα των οποίων τα ετήσια εισοδήματα δεν υπερβαίνουν τις 8.000 λιθουανικά λίτας (2.318,8 ευρώ) συν 3.000 λιθουανικά λίτας (869,6 ευρώ) για κάθε εξαρτώμενο άτομο. Δικαίωμα σε νομική συνδρομή **δευτέρου επιπέδου** έχουν τα άτομα των οποίων τα ετήσια εισοδήματα δεν υπερβαίνουν τις 12.000 λιθουανικά λίτας (3.478,2 ευρώ) συν 4.400 λιθουανικά λίτας (1.275,3 ευρώ) για κάθε εξαρτώμενο άτομο. Οι υποχρεώσεις του αιτούντος προς τα εξαρτώμενα από αυτόν άτομα δεν λαμβάνονται υπόψη κατά την αξιολόγηση της πένιας.

Το κράτος εγγυάται και καλύπτει το κόστος της δευτεροβάθμιας νομικής συνδρομής, λαμβανομένων υπόψη των περιουσιακών στοιχείων και των εισοδημάτων του ατόμου, ως ακολούθως:

σε ποσοστό 100% – εάν το άτομο εμπίπτει στο πρώτο επίπεδο βάσει των περιουσιακών στοιχείων και των εισοδημάτων του

σε ποσοστό 50% – εάν το άτομο εμπίπτει στο δεύτερο επίπεδο βάσει των περιουσιακών στοιχείων και των εισοδημάτων του.

Το κράτος οφείλει να εγγυάται και να καλύπτει σε ποσοστό 100% τα έξοδα της δευτεροβάθμιας νομικής συνδρομής που παρέχεται στα άτομα τα οποία αναφέρονται στο άρθρο 12 της συναφούς νομοθεσίας (βλ. ακολούθως). Τα έξοδα αυτά καταβάλλονται ανεξάρτητα από τα περιουσιακά στοιχεία και τα εισοδήματα του ατόμου. Εξαιρούνται τα (αναφερόμενα στο εδάφιο 6 του άρθρου 12 της συναφούς νομοθεσίας) άτομα που μπορούν να διαθέτουν ελεύθερα περιουσιακά στοιχεία και εισοδήματα. Τα εν λόγω άτομα εμπίπτουν στο δεύτερο επίπεδο. Στην προκειμένη περίπτωση, το κράτος εγγυάται και καλύπτει το 50% των εξόδων της δευτεροβάθμιας νομικής συνδρομής.

Ορισμένες κατηγορίες ατόμων είναι επιλέξιμες για δευτεροβάθμια νομική συνδρομή **ανεξαρτήτως των επιπέδων περιουσιακών στοιχείων και εισοδημάτων** που προβλέπει η κυβέρνηση (δυνάμει του άρθρου 12 του νόμου περί εγγυημένης από το κράτος νομικής συνδρομής):

Άτομα που συμμετέχουν σε ποινικές διαδικασίες (σύμφωνα με το άρθρο 51 του Κώδικα Ποινικής Δικονομίας), και σε άλλες - προβλεπόμενες από τη νομοθεσία - περιπτώσεις όπου είναι υποχρεωτική η φυσική παρουσία συνηγόρου υπεράσπισης

Οι θιγόμενοι διάδικοι σε υποθέσεις που αφορούν αποζημίωση για ζημιές οι οποίες προκλήθηκαν από εγκληματικές ενέργειες, συμπεριλαμβανομένων των υποθέσεων που αφορούν την εκδίκαση αξιώσεων αποζημίωσης για ζημιές στο πλαίσιο ποινικής υπόθεσης

Άτομα που λαμβάνουν κοινωνική αρωγή για οικογένειες χαμηλών εισοδημάτων (άτομα που διαμένουν μόνα τους) δυνάμει της νομοθεσίας της Λιθουανίας

Άτομα που ζουν σε ιδρύματα πρόνοιας

Άτομα με επιβεβαιωμένη σοβαρή αναπηρία, άτομα με αναγνωρισμένη αδυναμία προς εργασία, άτομα σε ηλικία συνταξιοδότησης, και άτομα με επιβεβαιωμένες -σε σημαντικό ποσοστό- ειδικές ανάγκες. Σε αυτά περιλαμβάνονται κηδεμόνες (επίτροποι) όπου απαιτείται εγγυημένη από το κράτος νομική συνδρομή για την εκπροσώπηση και την υπεράσπιση των δικαιωμάτων και των συμφερόντων του κηδεμονευόμενου (θετού τέκνου)

Άτομα που έχουν προσκομίσει αποδεικτικά στοιχεία από τα οποία προκύπτει ότι δεν μπορούν να διαθέσουν τα περιουσιακά τους στοιχεία και εισοδήματα για αντικειμενικούς λόγους, και ότι, για τους ίδιους λόγους, τα περιουσιακά στοιχεία και τα ετήσια εισοδήματα που μπορούν να διαθέσουν ελεύθερα δεν υπερβαίνουν τα επίπεδα περιουσιακών στοιχείων και εισοδημάτων που προβλέπει ο νόμος περί νομικής συνδρομής.

Άτομα πάσχοντα από σοβαρές διανοητικές διαταραχές, όταν τίθεται ζήτημα αναγκαστικής νοσηλείας και θεραπείας τους δυνάμει της νομοθεσίας για τη φροντίδα της ψυχικής υγείας. Σε αυτά περιλαμβάνονται οι κηδεμόνες (επίτροποι) τους, όπου απαιτείται εγγυημένη από το κράτος νομική συνδρομή για την εκπροσώπηση των δικαιωμάτων και των συμφερόντων θετού τέκνου (κηδεμονευόμενου).

Οφειλότες σε διαδικασίες εκτέλεσης, όταν έχει εκδοθεί εντολή είσπραξης οφειλών κατά του τελευταίου τόπου διαμονής

Γονείς ή άλλοι νόμιμοι εκπρόσωποι ανήλικων τέκνων, όταν εξετάζεται το ζήτημα της έξωσης

Ανήλικα τέκνα, όταν προσφεύγουν ανεξάρτητα σε κάποιο δικαστήριο για την υπεράσπιση των δικαιωμάτων ή των συμφερόντων τους τα οποία προστατεύονται και προβλέπονται από τον νόμο. Εξαιρούνται τα άτομα που έχουν συνάψει γάμο σύμφωνα με τη διαδικασία που προβλέπει ο νόμος ή τα οποία έχουν αναγνωρισθεί από το δικαστήριο ως έχοντα δικαιοπρακτική ικανότητα

Άτομα που έχουν κριθεί ανίκανα για δικαιοπραξία σε θέματα που αφορούν τη λήψη απόφασης για την ικανότητα φυσικού προσώπου

Άτομα αναμειγμένα σε θέματα τα οποία αφορούν την καταχώριση γεννήσεων

Άλλα άτομα για θέματα που διέπονται από συνθήκες τις οποίες έχει υπογράψει η Δημοκρατία της Λιθουανίας.

Αμοιβές εμπειρογνομώνων

Το δικαστήριο οφείλει να αποζημιώνει τους εμπειρογνώμονες για διαφυγόντα εισοδήματα – λόγω της απουσίας τους από την εργασία ή από τη συνήθη δραστηριότητά τους – για κάθε μέρα που οφείλουν να παρίστανται στο δικαστήριο. Οι εμπειρογνώμονες αμείβονται για την εξέταση στην οποία προβαίνουν, αποζημιώνονται για τα έξοδα παράστασής τους στο δικαστήριο, καθώς και για τα οδοιπορικά και τα έξοδα διαμονής τους, ενώ λαμβάνουν επιπλέον ημερήσια αποζημίωση. Ο διάδικος που υποβάλλει αίτημα κλήτευσης εμπειρογνομώνων οφείλει να προκαταβάλει **εγγύηση** της οποίας το ύψος καθορίζει εκ των προτέρων το δικαστήριο. Σε περίπτωση που και οι δύο διάδικοι υποβάλλουν αίτημα κλήτευσης εμπειρογνομώνων(μόνων), η εγγύηση καταβάλλεται ισομερώς. Η εγγύηση καταβάλλεται στον ειδικό λογαριασμό του δικαστηρίου.

Εάν ο ίδιο **το δικαστήριο**, στις περιπτώσεις τις οποίες προβλέπει ο **Κώδικας Πολιτικής Δικονομίας** της Λιθουανίας (Lietuvos Respublikos civilinis kodeksas) ή άλλοι νόμοι, **καλέσει με δική του πρωτοβουλία μάρτυρες (liudytojai) και εμπειρογνώμονες (ekspertai), τα έξοδα πρέπει να καταβάλλονται από τον κρατικό προϋπολογισμό**. Τα έξοδα αυτά μπορούν να αφορούν την εντολή εξέτασης ή την πραγματοποίηση ελέγχου στο χώρο του περιστατικού.

Κατά τον καθορισμό του ποσού της εγγύησης, πρέπει να λαμβάνεται υπόψη το ύψος των μελλοντικών εξόδων. Το δικαστήριο πληρώνει τους εμπειρογνώμονες μετά την επιτέλεση των καθηκόντων τους. Το δικαστήριο οφείλει επίσης να πληρώνει τους φορείς εμπειρογνομώνων για την πραγματοποίηση εξέτασης βάσει τιμολογίου το οποίο προσκομίζεται μετά το πέρας της εξέτασης. Τα συναφή ποσά καταβάλλονται από τον ειδικό λογαριασμό του δικαστηρίου, ο οποίος έχει ανοιχτεί σε τράπεζα της περιοχής του δικαστηρίου. Τα ποσά που καταβάλλονται σε εμπειρογνώμονες και φορείς εμπειρογνομώνων πρέπει, σε περίπτωση που δεν έχει καταβληθεί εγγύηση, να χρεώνονται στον ειδικό λογαριασμό του δικαστηρίου και να **εξοφλούνται από**

τον διάδικο εις βάρος του οποίου έχει εκδοθεί η απόφαση, ή από τους διαδίκους ανάλογα με το ύψος των ικανοποιηθεισών ή απορριφθεισών αξιώσεων. Αρμόδιο για τον καθορισμό των ανώτατων ορίων των εν λόγω εξόδων είναι το **υπουργείο Δικαιοσύνης**.

Αμοιβές μεταφραστών και διερμηνέων

Το δικαστήριο οφείλει να αποζημιώνει τους μεταφραστές για διαφυγόντα εισοδήματα – λόγω της απουσίας τους από την εργασία ή από τη συνήθη καθημερινή δραστηριότητά τους – για κάθε μέρα που οφείλουν να παρίστανται στο δικαστήριο. Οι μεταφραστές πρέπει να αμείβονται για τις μεταφράσεις που κάνουν, να αποζημιώνονται για τα έξοδα παράστασής τους στο δικαστήριο, καθώς και για τα οδοιπορικά και τα έξοδα διαμονής τους, και να λαμβάνουν επιπλέον ημερήσια αποζημίωση. Ο διάδικος που υποβάλλει έγγραφα στο δικαστήριο και ζητά τη μετάφρασή τους σε ξένη γλώσσα οφείλει να προκαταβάλει εγγύηση της οποίας το ύψος καθορίζει το δικαστήριο.

Το δικαστήριο οφείλει να πληρώνει τους μεταφραστές από τα κονδύλια του κρατικού προϋπολογισμού που διατίθενται για τον συγκεκριμένο σκοπό. Εξαιρούνται τα ποσά που καταβάλλονται σε μεταφραστές για τη μετάφραση σε ξένη γλώσσα δικαστικών εγγράφων υποβληθέντων από τους διαδίκους. Το κόστος των υπηρεσιών διερμηνείας/μετάφρασης κατά τη διάρκεια της εκδίκασης της υπόθεσης ενώπιον του δικαστηρίου πρέπει να **καλύπτεται από τον κρατικό προϋπολογισμό**. Το ανώτατο όριο της εν λόγω δαπάνης καθορίζεται από το υπουργείο Δικαιοσύνης.

Σχετικά έγγραφα

Έκθεση της Λιθουανίας σχετικά με τη Μελέτη για τη διαφάνεια των δαπανών  (950 Kb) 

Τελευταία επικαιροποίηση: 06/11/2020

Την έκδοση αυτής της σελίδας στην εθνική γλώσσα διαχειρίζεται το εκάστοτε κράτος μέλος. Οι μεταφράσεις έχουν γίνει από την αρμόδια υπηρεσία της Ευρωπαϊκής Επιτροπής. Οι τυχόν αλλαγές που επιφέρει η αρμόδια εθνική αρχή στο πρωτότυπο ενδέχεται να μην έχουν περιληφθεί ακόμα στις μεταφράσεις. Η Ευρωπαϊκή Επιτροπή δεν αναλαμβάνει καμία ευθύνη όσον αφορά τις πληροφορίες ή τα στοιχεία που περιλαμβάνονται ή για τα οποία γίνεται λόγος στο παρόν έγγραφο. Βλ. την ανακοίνωση νομικού περιεχομένου για τους κανόνες πνευματικής ιδιοκτησίας που ισχύουν στο κράτος μέλος που είναι αρμόδιο για την παρούσα σελίδα.

Case study 1 - family law - divorce - Lithuania

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.

Costs in Lithuania

Costs for court, appeals and alternative dispute resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	Foreign natural or legal persons are subject to the same conditions of exemption, reduction, deferral and scheduling of payments as apply to Lithuanian citizens.	The same as in the national situation	The same as in the national situation

Case Study	Appeals		
	Initial court fees	Transcription fees	Other fees
Case A	Spouses filing petitions to dissolve a marriage by mutual consent are exempted from the official fee in cases heard by a court.	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in the national situation	The same as in the national situation	The same in as the national situation

Case Study	ADR	
	Is this an option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably.	Free
Case B	The same as in the national situation	The same as in the national situation

Costs for lawyer, bailiff and expert

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Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory	See section on Legal Profession Fee Regulation above
Case B	The same as in the national situation	The same as in the national situation

Case Study	Bailliff		
	Is representation compulsory?	Pre-judgment costs	Post-judgment costs
Case A	No	No. Bailiffs play their role only after the issue of enforcement orders.	Governed by the instructions on judgment execution. Costs must be recovered from the debtor. The amount depends on the kind of enforcement and quantity of execution actions – costs may be fixed, 60 Litas per hour or a percentage of the value of the relevant item(s)
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

Case Study	Expert	
	Is use compulsory?	Cost
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in the national situation	The same as in the national situation

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

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid	
		When is support total? Conditions?

	When and under what conditions is it applicable?		
Case A	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid.
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation

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	Parties that achieve mutual consent to divorce are relieved of litigation costs.		The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process.	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure. Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure. Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation

Costs for translation and interpretation

Case study	Translation	Interpretation	Other costs specific to cross-border disputes?

	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?	Description	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People who do not speak the official language, are guaranteed the right to interpretation /translation services during the proceedings.		The court must pay the amounts due to interpreters/translators from the state budget funds.	
Case B	The same as in the national situation	The same as in the national situation	The same as in the national situation	The same as in the national situation		

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Case study 2 - family law - custody of the children - Lithuania

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 authorized 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 Lithuania

Costs of 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	The official fees in cases involving disputes of separated parents over contact with the child are 100 Lit. The courts can adjust this by taking into consideration the quarter's consumer price index (now - 132)	Participants in a proceeding pay 10 Lit. for a repeat copy of a court document, and 1 Lit. for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.	The official fees in cases involving disputes of separated parents over contact with the child are 100 Lit. The courts can adjust this by taking into consideration the quarter's consumer price index (now - 132)	Participants in a proceeding pay 10 Lit. for a repeat copy of a court document, and 1 Lit. for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	ADR	
	Is this option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably..	Free
Case B	The same as in national situation	The same as in national situation A

Costs for lawyer, bailiff and expert

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Case Study	Lawyer		Bailiff		
	Is representation compulsory?	Average costs	Is representation compulsory?	Pre-judgement costs	Post-judgement costs
Case A	Lawyer representation is not compulsory	See section on Legal Profession Fee Regulation above	No	No	No. Bailiffs play their role only after the issue of enforcement orders Enforcement costs: 60 Litass which bailiff can claim in every execution case, 200 Litass for bailiff's salary, and other enforcement costs, depending on kind and quantity of execution actions.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Expert	
	Is use compulsory?	Cost
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in national situation	The same as in national situation

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

Case Study	Witness compensation		Pledge or security		Other fees	
	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost	Description	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party The amount depends on the nature of the procedural action and may not exceed 100,000 Litass	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search of the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid		
	When and under what conditions is it applicable?	When is support total?	Conditions?
	Primary legal aid can be claimed as described in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid.	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence.

Case A	Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid.
Case B	The same as in national situation	The same as in national situation	The same as in national situation

Case study	Reimbursement		
	Can the winning party obtain reimbursement of litigation costs?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organisation?
Case A	The winning party can obtain reimbursement of litigation costs from the losing party.	The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process.	<p>Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law.</p> <p>Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.</p>

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under which conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People, who do not speak the official language, are guaranteed the right to interpretation/translation services during the proceedings.	The court must pay the amounts due interpreters/translators from the state budget funds.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

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Case study 3 - family law - alimony - Lithuania

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 Lithuania

Costs for Court, Appeals and Alternative Dispute Resolution

Case Study	Court		
	Initial court fees	Transcription fees	Other fees
Case A	Plaintiffs applying for child support are exempted from the paying the official fee in cases heard by a court	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds
Case B	Foreign natural or legal persons shall be applied the same conditions of exemption, reduction, deferral and scheduling of payment of litigation costs as are applied to Lithuanian persons.	The same as in national situation	The same as in national situation

Case Study	Appeals		
	Initial court fees	Transcription fees	Other fees
Case A	Plaintiffs applying for child support are exempted from the paying the official fee in cases heard by a court	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	ADR	
	Is this option open for this type of case?	Costs
Case A	Yes, after the essence of the dispute is identified in a preliminary session, the court will offer both parties the opportunity to come to a mutually acceptable compromise agreement and thus settle the case amicably	Free
Case B	The same as in national situation	The same as in national situation

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
Case B	The same as in national situation	The same as in national situation

Case Study	Bailiff		
	Is representation compulsory?	Pre-judgment costs	Post-judgment costs
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) Periodic payments of alimony are enforced from the debtor’s salary – 30 Litas for enforcement, which bailiff receives in every

			execution case, and other enforcement costs, depending on the kind and quantity of execution actions. 2) if alimony is recovered from debtor's property, enforcement costs in each case for execution and bailiff's salary will depend on the size of debt
Case B	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Expert		
	Is use compulsory?	Cost	
Case A	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.	
Case B	The same as in national situation	The same as in national situation	

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, the amounts paid to witnesses are added to the expenses connected with hearing the case	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Other fees			
	Description	Cost		
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' Fees above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance		
Case B	The same as in national situation	The same as in national situation		

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	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid..

	Reimbursement
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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	The winning party can obtain reimbursement of litigation costs from the losing party.	<p>Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law.</p> <p>Where insurance benefits are paid out after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they must be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the amount of the secondary legal into the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50% cent of the costs of secondary legal aid are covered, and an applicant fails pay his or her 50% percent share of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided within the time limits laid down by the service. The state will be represented by the legal aid service.</p>	The costs of state-guaranteed legal aid and those incurred by the debtor in the execution process	<p>Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law.</p> <p>Where insurance benefits are paid after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they shall be recovered in accordance with legal procedure.</p> <p>Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11) such a person must refund the costs of the secondary legal provided to the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50 per cent of the costs of secondary legal aid are covered, and an applicant fails to fulfil the duty to pay 50 percent of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided to the state budget within the time limits laid down by the service.</p> <p>Where the costs of secondary legal aid must be recovered, the state must be represented by the service.</p>

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover	People, who do not speak the official language, are guaranteed	The court must pay the amounts due to interpreters/translators from the state budget funds.

		litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	the right to interpretation /translation services during the proceedings.	
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

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Case study 4 - commercial law - contract - Lithuania

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 Lithuania

Costs for court, appeals and alternative dispute resolution

Case Study	Court			Appeals			ADR
	Initial court fees	Transcription fees	Other fees	Initial court fees	Transcription fees	Other fees	Is this cost included in this type?
Case A	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement of the curator's work; 6) other necessary and reasonable expenses	Yes

Costs for lawyer, bailiff and expert

Case Study	Lawyer
	Is representation compulsory?
Case A	Lawyer representation is not compulsory.
Case B	

Case Study	Average costs
Case A	See section on Legal Profession Fee Regulation above
Case B	

Case Study	Bailiff			Expert	
	Is representation compulsory?	Pre-judgement costs	Post-judgment costs	Is use compulsory?	Cost
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) 600 Litas if size of debt is from 50, 000 Lt (~€15,000) to 100,000 Lt (~€29,000) and 6%, but not less than 4000 Lt, of the executed debt amount as bailiff's salary, and other enforcement costs, depending on the kind and quantity of execution actions.	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.

			2) Bailiff's salary depends on size of debt.		
Case B	No	No	Same as in a Case A		

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, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas
Case B	The same as in national situation	The same as in national situation	The same as in national situation	The same as in national situation

Case Study	Other fees	
	Description	Cost
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' Fees above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B	The same as in national situation	The same as in national situation

Costs for legal aid and other reimbursement

Case study	Legal Aid	Reimbursement
	When and under which conditions is it applicable?	Can the winning party obtain reimbursement of litigation costs?
Case A	Legal Aid is not applicable.	The winning party can obtain reimbursement of litigation costs from the losing party
Case B		

Costs for translation and interpretation

Case study	Translation	Interpretation	
	When and under what conditions is it necessary?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	People who do not speak the official language are guaranteed the right to interpretation /translation services during the proceedings.	The court must pay the amounts due to interpreters/translators from the state budget funds.
Case B		The same as in national situation	The same as in national situation

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Case study 5 - commercial law - responsibility - Lithuania

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 Lithuania

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	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses	Stamp duty at 3% percent, but not less than 50 Litas (in real actions where claim does not exceed 100,000 Litas or €29,000)	Participants in a proceeding pay 10 Litas for a repeat copy of a court document, and 1 Litas for each page	The expenses connected with hearing the case: 1) inspection of a location; 2) defendant search; 3) delivering the court documents; 4) satisfying the court judgment; 5) reimbursement for expenses of the curator's work; 6) other necessary and reasonable expenses

Costs for lawyer, bailiff and expert

Case Study	Lawyer	
	Is representation compulsory?	Average costs
Case A	Lawyer representation is not compulsory.	See section on Legal Profession Fee Regulation above
Case B		

Case Study	Bailliff			Expert	
	Is representation compulsory?	Pre-judgement costs	Post-judgement costs	Is use compulsory?	Cost
Case A	No	No	No. Bailiffs play their role only after the issue of enforcement orders. Enforcement costs: 1) 600 Litas if size of debt is from 50, 000 Lt (~€15,000) to 100,000 Lt (~€29,000) and 6%, but not less than 4000 Lt, of the executed debt amount as bailiff's salary, and other enforcement costs, depending on the kind and quantity of execution actions. 2) Bailiff's salary depends on size of debt.	The court may appoint an expert or expertise for issues that require special knowledge in science, medicine, arts, engineering or craft, subject to the opinion of participants in the proceeding.	An advance surety in an amount established by the court must be paid by the requesting party. The government or an authorised institution establishes the maximum expenses. The court awards payment of the litigation expenses incurred by the successful party to the opposing party, even if the latter is exempt from paying litigation expenses into state funds.
Case B	No	No	Same as in a Case A		

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

Case	Witness compensation	Pledge or security

Study	Are witnesses compensated?	Cost	Does this exist and when and how is it used?	Cost
Case A	Yes, the amounts paid to witnesses are added to the expenses connected with hearing the case	See section on Experts' Fees above.	See section on Experts' Fees above.	The court must take into account the material situation of the paying party. The amount depends on the nature of the procedural action and may not exceed 100,000 Litas

Case Study	Other fees	
	Description	Cost
Case A	Other expenses include: 1) the inspection of a location; 2) defendant searches; 3) delivering court documents; 4) satisfying the court judgment; 5) reimbursement for curator's work; 6) others as necessary and reasonable	See section on Experts' above. Expenses for a defendant search must be paid by the party that requested a search or the court. See section on Bailiff's Fees A tutor has the right to receive remuneration for representation in line with tariffs and procedure set by government or its authorised institution. Representation costs are borne by the party on which initiative a tutor is appointed, who must pay his or her representation costs in advance
Case B		

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	Primary legal aid can be claimed as described in the section on Legal Aid above. Secondary legal aid is eligible under the conditions set out in the section on Legal Aid above.	The state guarantees 100% percent of the costs of primary legal aid. The costs of secondary legal aid take account of a person's property and income (see section on Legal Aid above)	Persons wishing to receive primary legal aid may apply to the executive institution of a municipality, according to declared place of residence. Persons wishing to receive secondary legal aid must apply with documents substantiating the request and attesting to eligibility for secondary legal aid
Case B	Same as in a Case A	Same as in a Case A	Same as in a Case A

Case study	Reimbursement		
	Can the winning party obtain reimbursement of litigation costs?	What costs are never reimbursed?	Are there instances when legal aid should be reimbursed to the legal aid organization?
Case A	The winning party can obtain reimbursement of litigation costs from the losing party.	The costs of state-guaranteed legal aid do shall not cover the costs that the court awards to the losing party nor the costs incurred by in the execution process.	Where the provision of secondary legal aid is terminated on the grounds referred to in subparagraphs 1, 2 and 6 of paragraph 1 of article 23 of the law. Costs can be recovered from the person to whom it was provided in accordance with procedure laid down by the law. Where insurance benefits are paid after the costs, the costs of secondary legal aid must be refunded to the state budget within one month of the payment of the insurance benefit in line with the procedure laid down by the Minister of Justice. Where a person fails to refund these costs, they shall be recovered in accordance with legal procedure. Where secondary legal aid has been provided (subparagraph 6 of article 12 of the law) but where the circumstances change (subparagraph 1 of paragraph 2 of article 11)

			<p>such a person must refund the costs of the secondary legal provided to the state budget within the time limit laid down by the service. If they fail to do so, the costs will be recovered in accordance with the required legal procedure</p> <p>Where 50 per cent of the costs of secondary legal aid are covered, and an applicant fails to fulfil the duty to pay 50 percent of the costs of civil or administrative the proceedings within the time limits required, the case may be terminated without the court taking a decision on the merits of the matter, and the applicant must refund the costs of secondary legal aid provided to the state budget within the time limits laid down by the service.</p> <p>Where the costs of secondary legal aid must be recovered, the state must be represented by the service.</p>
Case B	Same as in a Case A		Same as in a Case A

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate cost?	When and under what conditions is it necessary?	Approximate cost?
Case A	All the court documents and their annexures must be submitted to the court in the state language.	A party, whose court documents must be translated into a foreign language, must pay in advance a surety set by the court to cover litigation expenses. If both parties submit petitions, both parties will pay the surety in equal parts.	People who do not speak the official language, are guaranteed the right to interpretation /translation services during the proceedings.	The court must pay the amounts due to interpreters/translators from the state budget funds.
Case B	As per national situation	As per national situation	As per national situation	As per national situation

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