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Hungarian

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Costs

Hungary

This page offers you information about the costs of justice in Hungary. For a more in-depth analysis on the costs of proceedings, please consult the following case studies: Family law - Divorce (Családjog - válás) Family law – custody of the children (Családjog - szülői felügyeleti jog) Family law – alimony (Családjog - tartásdíj) Commercial law – contract (Kereskedelmi jog - szerződés) Commercial law – responsibility (Kereskedelmi jog - felelősség)

Regulatory framework governing the fees of legal professions**Bailiffs**

The amount of the bailiff's fee depends on the purpose of the enforcement order (végrehajtható okirat) issued (whether it is to collect a debt or enforce a specific action). If the enforcement involves the collection of a debt (pénzkövetelés behajtása), the bailiff's fee is proportional to the amount of the debt to be collected. If the enforcement involves a higher claim, the bailiff is paid a higher fee. If the duty involves the enforcement of a specific action (meghatározott cselekmény végrehajtása), the fee depends on how long this takes.

Attorneys (ügyvéd)

The Hungarian word ügyvéd is used for attorneys, advocates, solicitors, lawyers, and barristers. As a general rule, an attorney's fee is set by agreement between the party and the attorney. If no settlement is reached, the fee is decided by the court on the basis provided in law (5 percent of the claimed amount and at least 10,000 HUF). The parties can ask the judge to apply the fee stipulated by law if they do not want the settlement to become public.

Fixed costs**Fixed costs in civil proceedings****Fixed costs for litigants in civil proceedings**

In first instance cases, the fee (illeték) for court proceedings is 6 percent of the value of the claim (between a minimum of 10,000 HUF and a maximum of 900,000 HUF). If the value of the claim cannot be determined, the law stipulates that 6% of a fictitious amount is to be paid.

The costs/duties of the court are always determined by law, as well as in the following cases:

Divorce procedures (házassági bontóper): 12,000 HUF

Labour court procedures(munkaügyi per): 7,000 HUF

Administrative procedures, except for cases on competition, public procurement, tax and electronic communication (közigazgatási határozat bírósági felülvizsgálata iránti eljárás): 20,000 HUF

Administrative extrajudicial procedures (közigazgatási nemperes eljárás): 7500 HUF

Cost of general **procurement** (általános meghatalmazás): 18,000 HUF

Insolvency procedures: liquidation 50,000 HUF; bankruptcy 30,000 HUF

In cases involving **business associations** without the status of legal persons (jogi személyiséggel nem rendelkező gazdálkodó szervezet): liquidation 25,000 HUF, bankruptcy 20,000 HUF

Arbitration: 1 percent (a minimum of 5000 HUF and a maximum of 250,000 HUF). If the value of the claim cannot be calculated, the fee is 10 000 HUF

Order for payment (fizetési meghagyás): 3 percent (a minimum of 5000 HUF and a maximum of 300,000 HUF).

Appeal: 6 percent (a minimum of 10,000 HUF, a maximum of 900,000 HUF)

Reopening a procedure (perújítás): fees must be paid again

Motion for **review** (felülvizsgálati kérelem): 6 percent in the case of decisions (a minimum of 10,000 HUF, a maximum of 2,500,000 HUF); in the case of orders (végzés), half of the costs payable for decisions (a minimum of 7000 HUF, a maximum of 1,250,000 HUF).

Stage of the civil proceeding where fixed costs must be paid

The obligation to pay **court duties** in civil proceedings arises when the request for litigation is made. Therefore, the court duties must be paid together with the request of litigation. If the party does not pay the court duties, or pays less than is required by law, the court must ask him/her to pay the remaining court duties on submission of the request. The court must also inform the party that the application will be rejected if the court duties are not paid in full.

The payment of the attorney's fee based on an agreement between the party and the attorney. The bailiff's fee must be paid in advance at the beginning of the enforcement procedure.

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

In the case of proceedings conducted solely under private prosecution involving private actions (magánvádas eljárás):

The fee for an impeachment procedure (feljelentés) is 5000 HUF

The fee for lodging an appeal is 6000 HUF

The fee for submitting a motion for review or re-opening a case is 7000 HUF

If a civil justice claim (polgári jogi igény) arises from criminal proceedings, the only fees payable are for filing the application and the appeal.

Stage of the criminal proceeding where fixed cost must be paid

Fixed costs must be paid at the beginning of the procedure on the document initiating the procedure by way of a stamp.

Fixed costs in constitutional proceedings

According to article 28 of Act XXXII of 1989 (az 1989. évi XXXII. törvény 28. cikke), proceedings before the Constitutional Court (Alkotmánybíróság) are free of costs.

However, an applicant who does not act in good faith when submitting a motion may have to pay costs.

Prior information to be provided by legal representatives

Rights and obligations of the parties

When practising their profession – with the means and in the manner provided for by law – attorneys help their clients to assert their rights and fulfil their obligations. Legal advisers (jogtanácsos) also help assert the rights of the organisations they represent.

This obligation covers the duty to provide the necessary information about rights and obligations, chances of success and the foreseeable costs of proceedings.

Costs sources

Where can I find information on cost sources in Hungary?

Information about cost sources is available on the homepage of the European Judicial Network (Európai Igazságügyi Hálózat):

[EJN Civil Justice Legal aid](#) (EIH Polgári igazságszolgáltatás - Jogsegély)

[EJN Civil Justice - Bringing a case to court](#) (EIH Polgári igazságszolgáltatás - Bírósághoz fordulás)

The homepage of the [Budapest Bar Association](#) (Budapesti Ügyvédi Kamara) also contains information on attorneys' fees.

In what languages can I obtain information on cost sources in Hungary?

Information on cost sources is available on the homepage of the [European Judicial Network](#). Here you can find the relevant information in every official language of the European Union.

The homepage of the Budapest Bar Association contains information on costs in Hungarian only.

Where can I find information on mediation?

Information on mediation may be found on the following websites:

[EJN Civil Justice mediation](#) (EIH Polgári igazságszolgáltatás - közvetítés)

[Hungarian Register of Mediators](#) (Közvetítők magyarországi adatbázisa)

[Central Office of Justice of Hungary](#) (Központi Igazságügyi Hivatal)

Where can I find additional information on costs?

Available website on cost information

You can find additional information concerning costs on the website of the [Budapest Bar Association](#)

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

Information on the length of proceedings can be found on the website of the [Courts of the Hungarian Republic](#) (Magyar Köztársaság Bíróságai).

Other relevant links are:

[Statistics on the court cases of Hungarian courts](#) (Statisztika a magyar bíróságok ügyeiről)

[Statistics on ongoing cases as of December 2008](#) (Statisztika a folyamatban lévő ügyekről a 2008. decemberi állapot szerint).

Information on statistical tables is available in Hungarian only.

Value Added Tax (hozzáadottérték-adó)

How is this information provided?

The costs indicated above for attorneys are net costs, so VAT (HÉA) will be added.

What are the applicable rates?

In Hungary, the VAT rate was 20 percent until 1st July 2009, after which it increased to 25 percent.

Legal aid (költségmentesség)

Applicable income threshold in the area of civil justice

There are two minimums:

The net sum of the minimum retirement pension (now 28,500 forint), below which all legal aid assistance is free of charge.

43 percent of the average national income (the sum is now 72,000 forint), above which no aid is available.

Legal aid payments can be made in advance.

Applicable income threshold in the area of criminal justice for defendants

In criminal proceedings, the suspect or the accused may receive **free legal representation** if:

He or she is free of charges based on his or her personal conditions – the income threshold for this is in case of persons living alone, the double of the net minimum pension (it is now 28500 forint) in case of persons living in one household the net minimum pension per person

In the case of obligatory legal representation, if the accused does not have a defense attorney. In this case, if the defendant is sentenced in the proceeding he has to pay back the fee of service to the state.

Applicable income threshold in the area of criminal justice for victims

The income threshold is 86 percent of the average national income (approximately 130 000 forint). Legal assistance for victims includes legal representation.

Other conditions attached to the granting of legal aid for victims

Besides the set income thresholds, the victim must fulfil two other conditions:

He or she must make an impeachment/complaint

He or she must obtain a certificate from the authority responsible for assisting victims. The certificate must contain proof of certain conditions (that he/she turned to the relevant authority within the time limit foreseen in law)

Other conditions attached to the granting of legal aid for defendants

There are no other conditions attached to granting legal aid to defendants.

Cost-free court proceedings

The following are exempt from duty in civil cases:

the proceedings if the court ex officio rejects or has to reject the petition without the issue of a subpoena;

proceedings for legal remedy instituted against decisions in cases of exemption from charges and rights of pre-notation of duty (when the state prepays costs instead of the party);

in actions for divorce, the counter-action instituted with regard to the marriage;

proceedings related to the declaration of death and the establishment of the fact of death, if disappearance or death took place in consequence of an event of war or natural disaster;

proceedings for the registration of foundations, public foundations, non-governmental organizations, public corporations, European groupings of territorial cooperation. Furthermore, proceedings for the registration of Employee Stock Ownership Plan organizations and for the approval of participation in a European grouping of territorial cooperation;

petitions for the dissolution of terminated firms, including the petitions lodged in simplified dissolution procedures with the name of the receiver indicated;

petitions for the correction, and/or supplementation of decisions;

proceedings related to the electoral roll;

proceedings related to reported changes upon being registered in the register of legal advisors;
 appeals against resolutions prescribing transfer;
 court review of administrative decisions passed in indemnification cases;
 tax settlement proceedings of local governments;
 proceedings initiated by independent court bailiffs in connection with judicial enforcement proceedings, and the proceedings initiated for the enforcement of court decisions (court settlement) adopted in accordance with Council Regulation (EC) No. 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, Regulation (EC) No. 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims, and Council Regulation (EC) No. 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No. 1347/2000;
 proceedings instituted on the basis of favourable decision by the Constitutional Court.
 any lawsuit in connection with the protection of personal data and access to information of public interest.
 the court review of an administrative decision for the authorization of legal aid.
 non-judicial proceedings for the review of resolutions for preliminary injunction or a temporary restraining order, or preventive injunction granted pursuant to specific other legislation in connection with domestic violence.
 the judicial review of an administrative decision adopted on the subject of aid to crime victims.

The followings are exempt from duty in criminal proceedings:

in proceedings conducted solely under private prosecution, the appeal, petition for reopening the case and motion for review filed by the defendant and the defense counsel;
 proceedings conducted solely under private prosecution, if the court dismisses the case prior to the commencement of personal hearing, or if the case is dismissed due to clemency;
 the petition for clemency or court dispensation if submitted by the defendant or the defense counsel.
 the proceeding for the authorization of personal exemption from charges.
 the one-time provision of copies of documents to the defendant, the defense attorney or the legal representative of a minor who has been accused of a crime.
 a copy of the accusation report provided to the accuser.
 Besides the subject-oriented exemption, personal duty exemption may also be granted.

Personal exemption is granted among others to non-governmental organisations, public corporations, churches, association of churches, religious institutions, foundations, public foundations, non-profit business associations of the status of public benefit organization or priority public benefit organization, the North Atlantic Treaty Organization, the European Communities, their institutions and bodies, agencies and separate funds.

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

In its final decision, the court requires that the losing party pay the costs incurred by the winning party within a period of 30 days. The losing party pays the costs directly to the winning party and, if she or he fails to do so, enforcement proceedings are initiated.

Experts' fees

As a general rule, the experts' fees are paid by the losing party, and if (in specific cases) the state is responsible for paying the costs, it also bears the costs of experts. Where the costs are prepaid by the state, experts' fees are also included.

Translators' and interpreters' fees

As a general rule, translators' and interpreters' fees are paid by the losing party, and if (in specific cases) the state is responsible for paying the costs, it also bears the costs of experts. Where the costs are prepaid by the state, these fees are also included.

Related Links

[Homepage of the Budapest Bar Association](#) (A Budapesti Ügyvédi Kamara honlapja)

Related Attachments

[Hungary's report of the Study on Transparency of costs](#)  (533 Kb)  (Magyarország jelentése a költségek átláthatóságáról szóló tanulmányról)

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Case study 1 - family law - divorce - Hungary

In this case study on family law concerning divorce, Member States were asked to advise the party that filed for divorce on litigation costs under the following circumstances:

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

Case B – Transnational matter: Two nationals from the same Member State (Member State A) get married. The marriage is registered in Member State A. After the wedding, the couple relocates 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 Hungary

Costs of alternative dispute resolution (ADR)

Case study	Alternative dispute resolution (ADR)	
	Is such an option available for this type of case?	Costs
Case A	Yes, but only as regards agreement on issues concerning the dissolution of marriage, such as the custody and financial support of children, contact between parent and child, conjugal maintenance, the use of jointly owned real estate and the distribution of jointly owned property. The court, however, still needs to approve the agreement reached by the parties.	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
		As agreed by the parties and the mediator.

Case B	Yes, but only as regards agreement on issues concerning the dissolution of marriage. The court, however, still needs to approve the agreement reached by the parties.	Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
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Attorney, bailiff and expert fees

Case study	Attorney		Bailiff		Expert	
	Is legal representation compulsory?	Average costs	Is legal representation compulsory?	Must it be made use of?	Costs	
Case A	No	As agreed by the client and the attorney.	No	No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.	
Case B	No	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.	

Costs for witness compensation, deposits, securities and other relevant fees

Case study	Witness compensation	
	Are witnesses eligible for compensation?	Costs
Case A	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
Case B	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement of expenses		
	When and under what conditions is it applicable?	When is full legal aid available?	Can the successful party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of costs covered?	What costs may not be reimbursed?	Are there instances when legal aid must be reimbursed?
Case A	See section on legal aid.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension.	Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.

					amount claimed by them.	
Case B	See the section on legal aid. The decision on granting legal aid may take into account the cost of living in each party's country of residence.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens.	Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it required?	Approximate cost	When and under what conditions is it required?	Approximate cost
Case A	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.
Case B	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.

	subsequently governed by the provisions on the recovery of legal costs.	
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Case study 2 - family law - custody of the children - Hungary

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 Hungary

Costs of alternative dispute resolution (ADR)

Case study	Alternative dispute resolution (ADR)	
	Is such an option available for this type of case?	Costs
Case A	Yes. If the parents cannot agree on how and when the right of access may be exercised, they may request mediation on child-welfare grounds. Mediation may also be requested during an enforcement procedure. Within two years of a court decision on the right of access becoming final, petitions for altering the decision may be lodged only with the same court, which retains the authority to decide.	As agreed by the parties and the mediator.
Case B	Yes. If the parents cannot agree on how and when the right of access may be exercised, they may request mediation on child-welfare grounds. Mediation may also be requested during an enforcement procedure. If more than two years have passed since the conclusion of the divorce or the lawsuit for custody of the child, the guardianship office may approve the parents' agreement or, at their request, decide on the right of access.	As agreed by the parties and the mediator.

Attorney, bailiff and expert fees

Case study	Attorney		Bailiff	Expert	
	Is legal representation compulsory?	Average costs	Is legal representation compulsory?	Must it be made use of?	Costs
Case A	No	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.
Case B	No	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

Witness compensation

Case study	Witness compensation	
	Are witnesses eligible for compensation?	Costs
Case A	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
	Yes	

Case B	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
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Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement of expenses		
	When and under what conditions is it applicable?	When is full legal aid available?	Can the successful party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of costs covered?	What costs may not be reimbursed?	Are there instances when legal aid must be reimbursed?
Case A	See the section on legal aid. Irrespective of their income or financial situation, the parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on custody and transfer of a child or on the right of access, among others.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension.	Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.
Case B	See the section on legal aid. Irrespective of their income or financial situation, the parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on custody and transfer of a child or on the right of access, among others. The decision on granting legal aid may take into account the cost of living in each party's country of residence.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens.	Yes, the losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be required to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it required?	Approximate cost	When and under what conditions is it required?	Approximate cost
Case A	If a party does not speak or understand Hungarian.	The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and	If a party does not speak or understand Hungarian.	The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.

		submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.		
Case B	If a party does not speak or understand Hungarian.	The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.

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Case study 3 - family law - alimony - Hungary

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 Hungary

Costs of alternative dispute resolution (ADR)

Case study	Alternative dispute resolution (ADR)	
	Is such an option available for this type of case?	Costs
Case A	Yes, but the claim for alimony is enforceable only if it is formalised in an executory document (a court or public notary may add an enforcement clause to a document).	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
Case B	Yes, but the claim for maintenance is enforceable only if it is formalised in an executory document (a court or public notary may add an enforcement clause to a document).	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.

Attorney, bailiff and expert fees

Case study	Attorney		Bailiff	Expert	
	Is legal representation compulsory?	Average costs	Is legal representation compulsory?	Must it be made use of?	Costs
Case A	No	As agreed by the client and the attorney.	No	No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

				of the parties may also submit the opinions of private experts.	
Case B	No	As agreed by the client and the attorney.	No	No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his /her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

Witness compensation

Case study	Witness compensation				
	Are witnesses eligible for compensation?			Costs	
Case A	Yes			Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.	
Case B	Yes			Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.	

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement of expenses		
	When and under what conditions is it applicable?	When is full legal aid available?	Can the successful party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of costs covered?	What costs may not be reimbursed?	Are there instances when legal aid must be reimbursed?
Case A	See the section on legal aid. Irrespective of their income or financial situation, parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on statutory maintenance, including lawsuits for collecting alimony from entities disbursing the obliged party's allowances or from other third parties, cancelling maintenance or changing the amount paid, abating or restricting the executory collection of alimony, and proceedings for obtaining the personal details of the obliged party in transnational maintenance disputes.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an income threshold equal to the minimum retirement pension.	Yes, the losing party shall be obliged to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees if it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.
	See the section on legal aid. Irrespective of their income or financial situation, parties have a right to the deferral of payments – suspended payment of specific costs – in lawsuits on statutory alimony. The decision on granting legal aid may take into account the cost of living in	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. Legal assistance is free of charge within the framework of legal aid, below an	Yes, the losing party shall be obliged to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees if it deems unreasonably high. The parties may not be ordered to bear costs incurred due to	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State.

Case B	each party's country of residence.	income threshold equal to the minimum retirement pension. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens.	party to bear the costs irrespective of the court's decision.	(otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	The losing party must pay the administrator's fee, even if it is eligible for legal aid.
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Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it required?	Approximate cost	When and under what conditions is it required?	Approximate cost
Case A	If a party does not speak or understand Hungarian.	The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.
Case B	If a party does not speak or understand Hungarian.	The translator determines his /her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his /her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.

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Case study 4 - commercial law - contract - Hungary

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 Hungary

Costs of alternative dispute resolution (ADR)

Case study	Alternative dispute resolution (ADR)	
	Is such an option available for this type of case?	Costs
Case A	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
Case B	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.

Attorney, bailiff and expert fees

Case study	Attorney		Bailiff	Expert	
	Is legal representation compulsory?	Average costs	Is legal representation compulsory?	Must it be made use of?	Costs
Case A	No	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.
Case B	Yes. The general courts have jurisdiction to rule on claims relating to international agreements on the carriage and forwarding of goods (Section 23(1)(d) of Act III of 1952 on civil procedure), and legal representation is mandatory at all stages of lawsuits under the first instance jurisdiction of general courts, as well as during appeals, unless the case falls under an exclusion clause (Section 73/A(1)(b) of Act III of 1952).	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert determines his/her fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

Witness compensation

Case study	Witness compensation	
	Are witnesses eligible for compensation?	Costs
Case A	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.
Case B	Yes	Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.

Costs for legal aid

Case study	Legal aid
	When and under what conditions is it applicable?
Case A	Economic operators are not entitled to legal aid.
Case B	Economic operators are not entitled to legal aid.

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it required?	Approximate cost	When and under what conditions is it required?	Approximate cost
Case A	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the

		the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.		language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.
Case B	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 – 12 000 per hour. The State bears or pays in advance the interpreter's fees in cases where interpreting is mandated by law.

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Case study 5 - commercial law - responsibility - Hungary

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 Hungary

Costs of alternative dispute resolution (ADR)

Case study	Alternative dispute resolution (ADR)	
	Is such an option available for this type of case?	Costs
Case A	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.
Case B	Yes	As agreed by the parties and the mediator. Anyone involved in new or on-going proceedings may request mediation at the court, which is free of charge.

Attorney, bailiff and expert fees

Case study	Attorney		Bailiff	Expert	
	Is legal representation compulsory?	Average costs		Must it be made use of?	Costs
Case A	No	As agreed by the client and the attorney.	No	No The court shall appoint an expert at the request of the party providing evidence, except where it may initiate the taking of	The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant

				evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	to the relevant legislation in force.
Case B	No	As agreed by the client and the attorney.	No	No The court may appoint an expert at the request of the party providing evidence, except where it may initiate the taking of evidence <i>ex officio</i> . Either of the parties may also submit the opinions of private experts.	The expert generally determines his/her own fee. If the court orders the taking of evidence <i>ex officio</i> , the fee is established pursuant to the relevant legislation in force.

Witness compensation

Case study	Witness compensation				
	Are witnesses eligible for compensation?			Costs	
Case A	Yes			Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.	
Case B	Yes			Witness compensation is regulated by law. Witnesses are entitled to reimbursement of their travel, accommodation and subsistence costs, and compensation for their period of absence from work.	

Costs for legal aid and the reimbursement of expenses

Case study	Legal aid			Reimbursement of expenses		
	When and under what conditions is it applicable?	When is full legal aid available?	Can the successful party obtain reimbursement of litigation costs?	If reimbursement is not comprehensive, what is the usual percentage of costs covered?	What costs may not be reimbursed?	Are there instances when legal aid must be reimbursed?
Case A	See the section on legal aid.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. For more information, see the section on legal aid.	Yes. The losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.
Case B	See the section on legal aid.	In cases where, based on information available at the time, the estimated legal costs are likely to render access to the court impossible for the applicant. For more information, see the section on legal aid. Foreign nationals bringing legal action may only benefit from legal aid pursuant to international agreements concluded by the Hungarian State	Yes. The losing party must be ordered to reimburse the costs of the successful party, except where otherwise provided for by law, including where the law obliges another party to bear the costs irrespective of the court's decision.	In the event of partial success in a lawsuit, the amount to be reimbursed shall be commensurate with the successful part of the claim and the advance payments made by each party. The court may also order each party to bear its own costs.	In justified cases, the court may reduce attorneys' fees it deems unreasonably high. The parties may not be ordered to bear costs incurred due to (otherwise preventable) reasons attributable to the court. Reimbursement of legal costs to parties may not exceed the amount claimed by them.	Yes, if it is found that the party benefiting from legal aid was not eligible to receive it. The losing party must reimburse the appointed public attorney's fee, which was paid in advance by the State, directly to the State. The losing party must pay the administrator's fee, even if it is eligible for legal aid.

or as a matter of reciprocity. Citizens of EU Member States and citizens of non-EU States who reside legally in an EU Member State are eligible to receive legal aid under the same conditions as Hungarian citizens.

Costs for translation and interpretation

Case study	Translation		Interpretation	
	When and under what conditions is it required?	Approximate cost	When and under what conditions is it required?	Approximate cost
Case A	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour.
Case B	If a party does not speak or understand Hungarian.	The translator determines his/her fee. The fee is calculated based on the character count (approx. HUF 5 per character), the deadline and the source language. Translation costs incurred in connection with evidence provided and submissions made by parties entitled to use their native, regional or minority language during civil proceedings are paid in advance on their behalf by the State. These costs are subsequently governed by the provisions on the recovery of legal costs.	If a party does not speak or understand Hungarian.	The interpreter determines his/her fee. The hourly fee depends on the language used. Approximately HUF 10 000 to 12 000 per hour.

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