

ANDERSEN®

Manual

CIVIL PROCEDURE

Comprehensive Civil Procedure Manual. This initiative is intended to provide clear and practical guidance on court and arbitration proceedings across European jurisdictions. This manual reflects accurate and practical insights, from each collaborating country. On further layouts you will be able to find information regarding the civil court and arbitration procedures in your jurisdictions.

2025

Litigation

Knowledge of the law is a tool that supports our clients' global activities, so the supporting tools must also be global in scope. Court proceedings are not regulated by EU directives or regulations; they are national in nature. This makes it difficult to rely on universal knowledge of litigation. It is vital to have this knowledge to properly represent our clients' interests. Andersen in Europe has a network of trial litigators ready to appear before courts in every European country. Our colleagues in individual jurisdictions guarantee the protection of our clients' interests, and our internal relationships allow for efficient coordination of these cases. The assets of the network's brand will be just as well protected in Poland as in Germany or Italy, and the exchange of information will allow for efficient management of proceedings. Meet our litigation experts.





Key Contacts

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Our international association

Andersen Global® was established in 2013 as the international entity surrounding the development of a seamless professional services model providing best-in-class tax and legal services around the world.

Andersen Global Chairman and Andersen CEO

Mark L. Vorsatz, Andersen (U.S.)

Andersen Global is an association of legally separate, independent member firms, comprised of more than 44,000 professionals worldwide, over 3,000 global partners and a worldwide presence. Our growth is a by-product of the outstanding client service delivered by our people, the best professionals in the industry. Our objective is not to be the biggest firm, it is to provide best-in-class client service in seamless fashion across the globe. Each and every one of the professionals and member firms that are a part of Andersen Global share our core values. Our professionals share a common background and vision and are selected based on quality, like-mindedness, and commitment to client service. Outstanding client service has and will continue to be our top priority.

Core values

Best-in-class
We aim to be the benchmark for quality in our industry and the standard by which other firms are measured.

Stewardship
We hire the best and the rightest and we invest in our people to ensure that legacy.

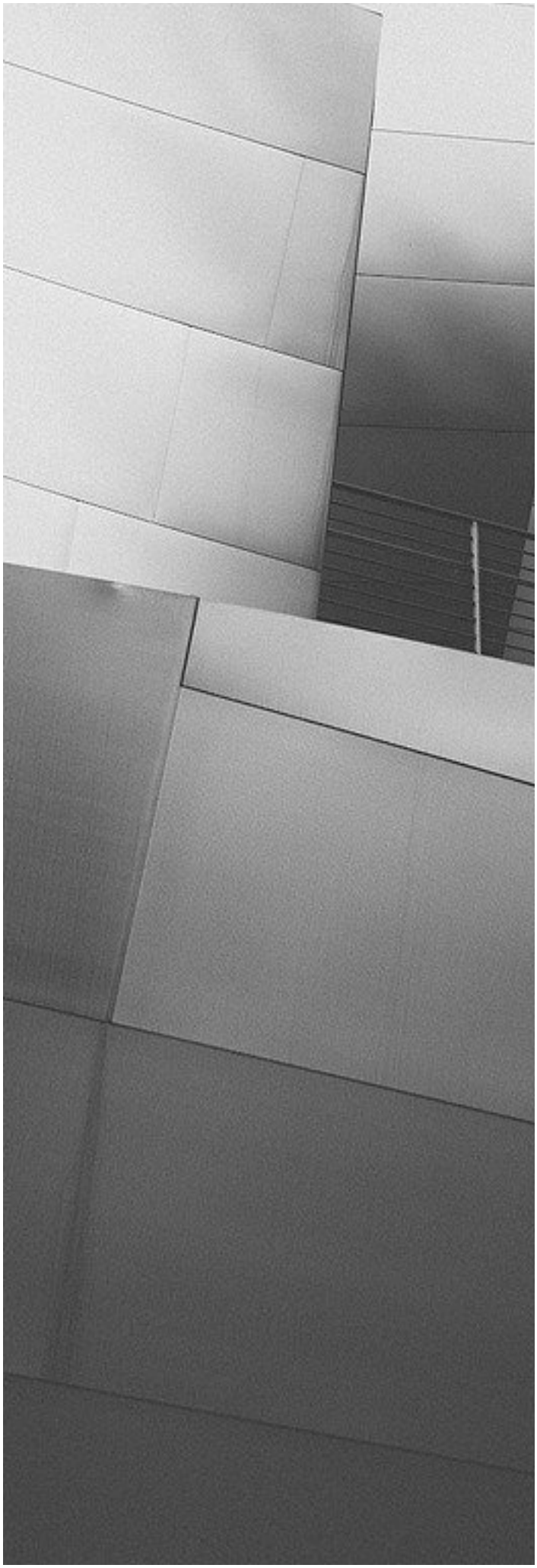
Transparency
We value open communication information sharing and inclusive decision making.

Seamless
Our firm is constructed as a global firm. We share an interest in providing the highest level of client service regardless of location

Independence
Our platform allows us to objectively serve as our client's advocate; the only advice and solutions we offer are those that are in the best interest of our client.

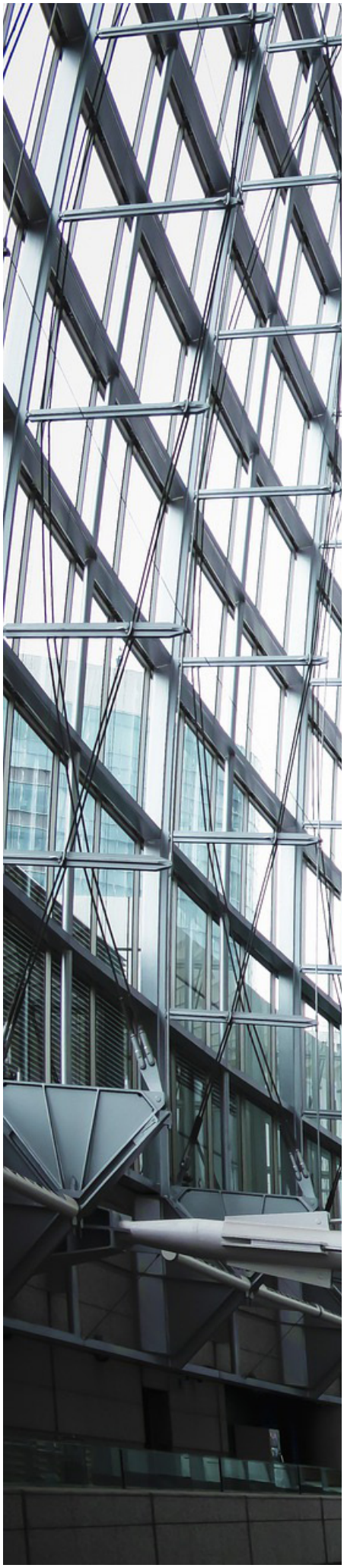
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CIVIL PROCEDURE

ARMENIA



COURTS & THEIR DIVISION

First Instance Courts

- First Instance General Jurisdiction Civil Court - Examines all cases subject to judicial review, except for those cases that fall under the jurisdiction of specialized courts and First Instance General Jurisdiction Criminal Court
- First Instance General Jurisdiction Criminal Court - Examines all cases regarding criminal matters.

Specialized Courts

- Administrative Court - examines cases that mainly concern the exercise of the right of natural and legal persons to judicial protection against normative legal and administrative acts, actions or inaction of state and local self-government bodies and their officials
- Bankruptcy Court - Examines cases concerning the declaration of insolvency of legal entities and natural persons.
- Anti-Corruption Court - The court examines cases of confiscation of property of illicit origin of a corruption-related nature.

Appellate Court

- Civil Court of Appeal,
- Administrative Court of Appeal,
- Criminal Court of Appeal,
- Anti-Corruption Court of Appeal,

The Court of Appeal, within the scope of its jurisdiction, reviews the judicial acts adopted by courts of general jurisdiction and specialized courts that adjudicate cases on the merits, as well as interlocutory judicial acts.

The Court of Cassation

- Civil Chamber,
- Administrative chamber,
- Criminal chamber,
- Anti-Corruption chamber,

The Court of Cassation, based on an appeal, reviews the judicial acts of the Courts of Appeal in cases and in the manner prescribed by law. The act of the Court of Cassation enters into legal force upon its publication, is final, and isn't subject to appeal.

- The Constitutional Court ensures the supremacy of the Constitution. It decides on the compliance of laws, decisions of the National Assembly, decrees and orders of the President of the Republic, decisions of the Government and the Prime Minister, as well as subordinate normative legal acts, with the Constitution

STAGES OF THE PROCEDURE

- Filing a lawsuit - The judicial proceedings commence through the submission of a lawsuit. The important elements of a lawsuit are the grounds of the claim, its subject matter, selection of the proper defendant and the facts underlying the claim.
- Response to the lawsuit - Within 2 weeks from the date the court admits the lawsuit into proceedings, the respondent is required to file a response to the lawsuit.
- Preliminary court hearing - Clarification of the grounds and subject matter of the claim, as well as the applicable legal norms; hearing of the parties' positions; submission of evidence.
- Stage of trial - At this stage, the court conducts the examination of evidences.
- Judgment - The court renders a judgment (final judicial act). The participants in the trial may submit a draft Judgement.

ARBITRATION

Arbitration - It only examines commercial disputes.

- Includes all commercial relations, both contractual and non-contractual e.g., disputes arising from agreements concluded between banks or other financial institutions and their clients, as well as disputes related to the supply and exchange of goods, provision of services, factoring, leasing, and other forms of hire.

Mediation

- It is carried out in cases of disputes arising from civil, family, labor, and other legal relations.
- Mandatory conciliation applies.
- In family cases, individuals may apply to the court only after approaching a conciliator and failing to reach a resolution.

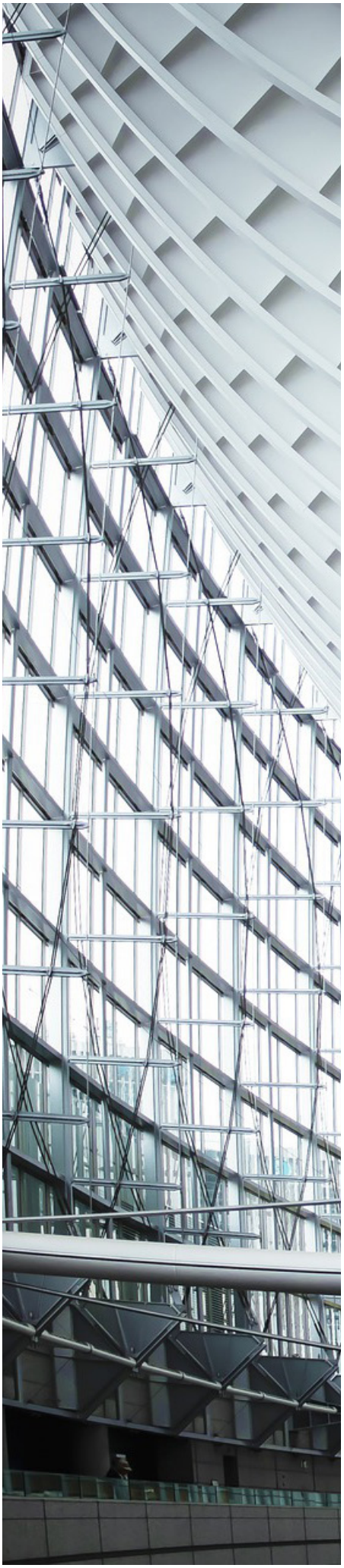
REMEDIES AT LAW

Appeal - Against the decisions of the courts of first instance of general jurisdiction and Specialized Courts. In general an appeal against the judgment may be filed within 1 month from the date of its publication. In certain cases, short-time limit is established.

Cassation Appeal - Against the Court of Appeal's decisions. In general, a cassation appeal against the decision of the court of appeal may be filed within one month from the date of its publication. In certain cases, a shorter time limit is established.

Individual petition to the Constitutional Court - Regarding the conformity of the applied legal norm with the Constitution.

Review - The case may be reopened in the event of newly discovered or new circumstances. An application for the review of a judicial act may be filed within three months from the moment the circumstance arises or from the moment the applicant becomes aware of it. However, the case cannot be reopened if 20 years have passed since the judicial act entered into legal force.



PROXY

The parties or their legal representatives may appear before the court either in person or through a proxy. There is no obligation to be represented by a lawyer in courts.

However, if a party chooses to have a representative, such representative must be either an attorney, an ex officio representative, a family member, a person holding at least 20 percent of the shares in the charter capital of the legal entity, or an employee of the legal entity.

COURT COSTS

The expenses consist of the court costs include state duty fees, attorneys' fees, experts and specialist fees, witnesses and interpreters fees and any other costs necessary.

The state duty varies depending on the nature of the case, the field, and the judicial instance.

Claims

- The state fee for non-monetary claim is 20,000 AMD.
- The state fee for monetary claim is 3% of the claimed amount.

Bankruptcy Applications

- For applications to declare legal entities bankrupt, the state fee is 1,000,000 AMD.
- For applications to declare individuals (including individual entrepreneurs) bankrupt, the state fee is 200,000 AMD.

Appeals

- For monetary appeals, the state fee is 4% of the disputed amount.
- For non-monetary appeals, the fee is 30,000 AMD.

Cassation Appeals

- For monetary cassation appeals, the state fee is 5% of the disputed amount.
- For non-monetary cassation appeals, the fee is 40,000 AMD.

* Exceptions and certain reservations are provided.

OTHER RELEVANT INFORMATION

When submitting a claim, the electronic court system is mandatory for legal entities, public authorities, and advocates, and optional for natural persons.

Andersen in Armenia is a leading corporate law firm specializing in business, financial, and corporate law. The firm serves a diverse range of clients, including both for-profit and non-profit organizations, across all business sectors. Backed by a multilingual, smart, and business-oriented team, Andersen in Armenia provides a wide range of legal services, including support from a proficient litigation team that effectively handles dispute resolution when needed.

Andersen in Armenia is a member firm of Andersen Global





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Lena Mitichyan is the Coordinator of the Litigation team at Andersen in Armenia, bringing extensive experience representing both individuals and companies in courts of law. Through her legal expertise, she consistently achieves favorable outcomes for her clients by effectively navigating complex legal proceedings. Lena is also specialised in intellectual property litigations as she is licensed trustee accredited by the Patent Attorneys Commission. She is also a licensed Mediator and Arbitrator. Lena serves as a professor of civil procedure at the French University in Armenia.



Arevik Galoyan

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Arevik Galoyan is a litigation specialist at Andersen in Armenia. She focuses on representing clients in complex legal disputes, particularly in civil, bankruptcy, and tax litigation. Additionally, she specializes in administrative proceedings, especially those related to tax issues. Arevik's expertise is backed by solid experience working with the Tax Authority of Armenia, serving as a legal adviser in the banking sector, and as a Judge's Assistant at the Cassation Court of the Republic of Armenia. Arevik is also a certified Insolvency Administrator.



CIVIL PROCEDURE
AUSTRIA



COURTS & THEIR DIVISION

Instance division

- District Courts (Bezirksgerichte) - lower value cases and cases relating to particular matters (e.g. cases relating to lease agreements and family law)
- Provincial Courts (Landesgerichte) - higher value cases and appeals against District Court judgements.
- Courts of Appeal (Oberlandesgerichte) - appeals against Provincial Court judgements
- the Supreme Court (Oberster Gerichtshof) – further appeals

With respect to commercial matters, special Commercial Courts (Handelsgerichte und Bezirksgerichte in Handelssachen) only exist in Vienna. Apart from that, the above-mentioned ordinary courts decide as Commercial Courts. Other special Courts are the Labor Courts (Arbeits- und Sozialgerichte), which have jurisdiction over all civil law disputes between employers and employees resulting from (former) employment as well as over social security and pension cases.

The Court of Appeal in Vienna decides as the Cartel Court (Kartellgericht) on the trial level. This is the only Cartel Court in Austria. Appeals are decided by the Supreme Court as the Appellate Cartel Court (Kartellobergericht).

STAGES OF THE PROCEDURE

- Filing a lawsuit
- Response to the lawsuit
- Hearings (questioning of parties and witnesses)
- Judgement
- Appeal

ARBITRATION

In principle all civil matters can be the subject of arbitration (exceptions: status, matrimonial, and labor law matters, etc.)

The most frequently chosen permanent arbitration court in Austria is the Vienna International Arbitral Center (VIAC) which has been established by the Austrian Chamber of Commerce (in cases before the VIAC the “Vienna Rules” apply; such proceedings take place in Vienna unless the parties decide otherwise).

REMEDIES AT LAW

- Appeal (Berufung) – against judgements of the courts of first instance
- Recourse (Rekurs) – against court orders (Beschlüsse)
- further Appeal (Revision) to the Supreme Court – in important cases (the question of whether or not a case is important depends on the amount in litigation, but also on the nature of the case)

PROXY

The Austrian Code of Civil Procedure requires in cases where the amount in dispute exceeds EUR 5,000 that the parties be represented by attorneys.



COURT COSTS

The costs of the proceedings essentially comprise the court fees and the lawyers fees. Under the Austrian Code of Civil Procedure the unsuccessful party is required to reimburse the costs of the prevailing party (as far as the lawyers fees are concerned reimbursement is limited to the fees set out in the Attorneys' Fees Act [Rechtsanwaltstarifgesetz]).

Andersen in Austria (CHG Czernich Attorneys at law) has earned nation-wide recognition as a premier full service law firm. With offices in Innsbruck, Vienna, St. Johann/Kitzbühel, Bolzano (Italy), and Vaduz (Liechtenstein), the firm has grown into one of the most prominent providers of commercial legal advice in Austria.

Andersen in Austria (CHG Czernich Attorneys at law) is collaborating firm of Andersen Global



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Dietmar Czernich advises clients in the areas of corporate structuring, company acquisitions (M&A transactions), cross-border mergers and transfers of registered offices. Dietmar Czernich's second area of specialisation is national and international arbitration law. He represents clients before international arbitration tribunals and is himself an arbitrator at the International Chamber of Commerce in Paris (ICC). Dietmar Czernich is also a honorary professor at the Faculty of Law in Innsbruck in the areas of civil law, civil procedure law and international law enforcement. He is also Honorary Consul of the Federal Republic of Germany for Tyrol. As a member of the Domestic Advisory Board on Arbitration, Dietmar Czernich is deeply involved in issues relating to the future of arbitration.



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Florian Mueller heads the Business Law practice group and advises clients on a broad spectrum of corporate law with a focus on litigation, competition and insurance law. He has extensive experience with cross-border and complex contractual arrangements. In addition, he has many years of experience in advising and managing the legal departments of international corporations and as a lecturer at universities and at an entrepreneurial university.



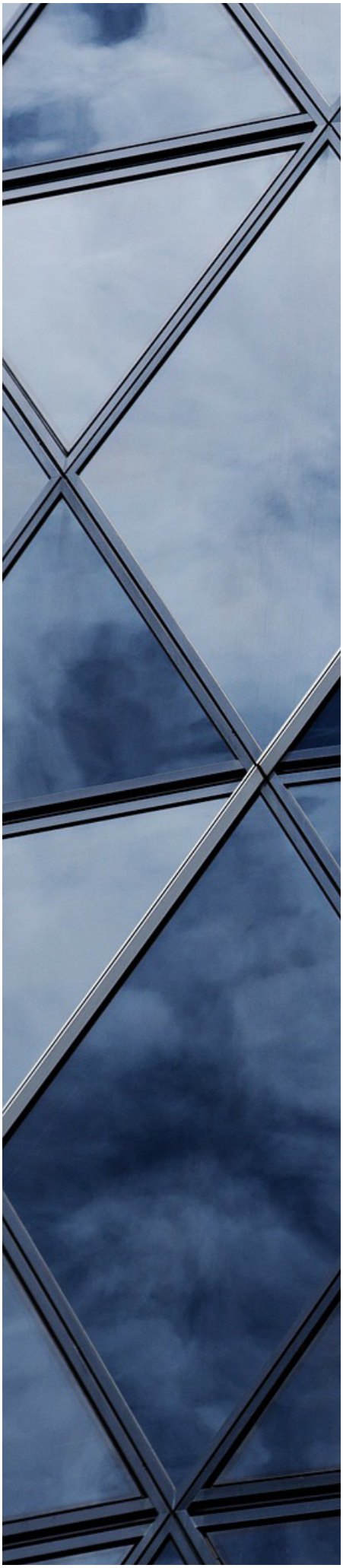
Dr. Bernhard Koeck, LL.M.

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Bernhard Koeck has been a successful litigation lawyer for more than 20 years and represents well-known companies from various sectors in disputes and (as creditors) in insolvency proceedings. He also advises companies, in particular from the financial and energy sectors, on contractual and regulatory issues. Moreover, Bernhard Koeck specializes in competition and distribution law.

CIVIL PROCEDURE
BELGIUM



COURTS & THEIR DIVISION

Justice of the Peace: jurisdiction over disputes up to €5,000, tenancy disputes (lease, rent, agricultural lease), neighbor disputes, maintenance claims, small consumer conflicts.

Court of First Instance:
- Civil Court: residual competence for all disputes not assigned to another court and appeal for disputes Justice of the Peace and Police Court
- Family Court : divorce, parental authority, maintenance, filiation.

Enterprise Court: disputes between enterprises, insolvency procedures, directors' liability,
Labour Court: labour disputes, social security, occupational accidents.
Courts of Appeal: hear appeals against judgments of Courts of First Instance, Enterprise Courts, and Labour Courts.
Labour Courts of Appeal: appeals in labour matters.
Court of Cassation: supreme court, rules only on points of law, not on the facts

STAGES OF THE PROCEDURE

Introduction:
- Writ of summons served by bailiff (Art. 700–702 JC).
- Petition on adversarial terms (Art. 1034bis – 1034sexies JC).
- Voluntary appearance (Art. 706 JC).

- Registration and docketing: payment of court fees (Art. 711 - 715 JC).
- Exchange of submissions (Conclusions): judge imposes a timetable; parties exchange written arguments and evidence (Art. 747–748 JC). Submissions must be filed digitally via e-Deposit (Royal Decree of 16 June 2016).
- Hearing: oral pleadings by lawyers, possible questions from the judge (Art. 756 - 756ter JC), judgment based on written pleadings (Art. 755 JC) or pleadings by videoconference (Art. 763bis – octies JC).
- Deliberation and judgment: judgment delivered after deliberation (Art. 769–792 JC).

- Service and appeal:
- Notification by the court clerk (Art. 792 JC) – does not start the appeal period. Formal service by bailiff's writ (Art. 32 JC) – triggers appeal deadlines and enforceability. Appeal period: 1 month (Art. 1051 JC). The case is re-examined in fact and in law.
- Procedure follows the same stages (registration, submissions, hearing, judgment)

- Cassation: An appeal in cassation must be filed within 3 months of the judgment (Art. 1073 JC). It is limited to points of law: the Court of Cassation does not review the facts, only whether the law has been correctly applied (Art. 608–618 JC). If successful, the case is referred to another court of appeal or labour court for retrial.
- Enforcement: Enforcement requires an enforceable title (Art. 1494 JC). Bailiffs may carry out attachment of movable or immovable property, garnishment of wages or bank accounts, etc.

ARBITRATION

- Regulated in Art. 1676–1723 JC (Law of 24 June 2013, in line with UNCITRAL Model Law).
- leading arbitral institution in Belgium is CEPANI (Belgian Centre for Arbitration and Mediation), based in Brussels. Other institutions include ICC Belgium, C-SAR (for specialized arbitration, e.g. sports or construction)
- CEPANI provides a cost calculator and a fixed scale of fees based on the amount in dispute. Costs typically include arbitrators' fees, administrative fees and expenses (e.g. hearing costs, expert fees)

REMEDIES AT LAW

Opposition: against default judgments, within 1 month of service (Art. 1047 – 1049 JC).
Appeal: generally within 1 month of service after notification of the verdict by the bailliff (Art. 1051 JC).
Cassation: 3-month deadline (Art. 1073 JC).
Extraordinary remedies: reopening of proceedings (herroeping van gewijsde) in cases of fraud or discovery of decisive new evidence (Art. 1133 JC)

PROXY

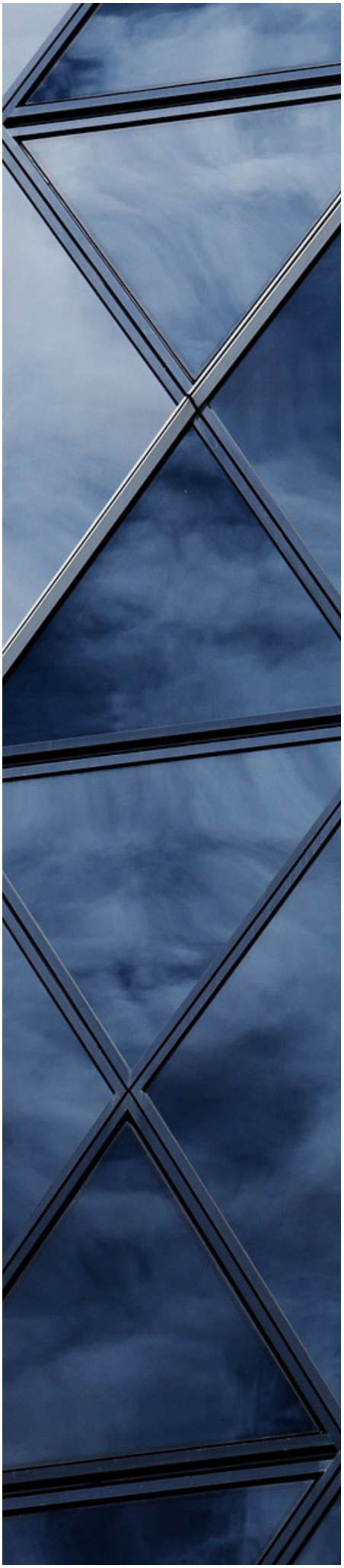
- General rule: parties are represented by a lawyer (Art. 728, §1 Judicial Code).
- Exceptions are possible before Justice of the Peace and Labour Court
- Special proxy (Art. 440 JC). is required for settlement (Art. 2045 CC), acknowledgment (Art. 1045 JC), filing appeal (Art. 1056 JC) or cassation (Art. 1080 JC).

COURT COSTS

- Court fees (rolrechten): Art. 269 CRD (Code Registration Duties) Examples: Court of First Instance €100-€500 depending on claim size, Court of Appeal €210-€800, Cassation €800-€1200,
- Summons costs: €150–450 (bailiff's service fees, governed by Royal Decree of 30 November 1976).
- Procedural indemnity (rechtsplegingsvergoeding, RPV): flat-rate compensation for lawyers' fees, depending on the value of the claim and payable by party in wrong (Art. 1022 JC, Royal Decree of 26 October 2007), ranging from €90 to €36,000.
- Expert fees: provisionally advanced by parties, ultimately charged to the losing party (Art. 1017 – 1018 JC).

OTHER RELEVANT INFORMATION

- Belgian judges increasingly refer parties to mediation, either through a certified mediator (often a lawyer) or to a dedicated chamber within the court (led by a judge-mediator). In some cases, a Belgian judge is entitled to propose or impose mediation ex officio, although participation in the process remains voluntary.
- As Belgian lawyers, we are legally obliged to inform our clients about alternative dispute resolution methods.



Andersen in Belgium is a full-service law firm that works closely with domestic and international clients to help establish their businesses. The firm specializes in corporate and commercial law, real estate, construction, administrative law, and employment law.

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Since 2002 he has been lecturer "Contracts, Assignments and Mandates" at Syntra Brussels in the vocational training for real estate agents. In the course for Real Estate Experts, Koen lesson on construction law. He is the initiator of the Property Codex, a collection of legal texts tailored to the real estate professional. The codex is used throughout Flanders in the vocational training of the real estate agents within Syntra. In August 2012, Koen co-founded the law firm ORYS. In April 2019, Koen together with Leo Peeters of Peeters Law have decided to set up a new law firm under the name of "Seeds of Law". Koen de Puydt has many publications to his name and gives on a regular base formations to real estate professionals.



David Van Iseghem

Partner

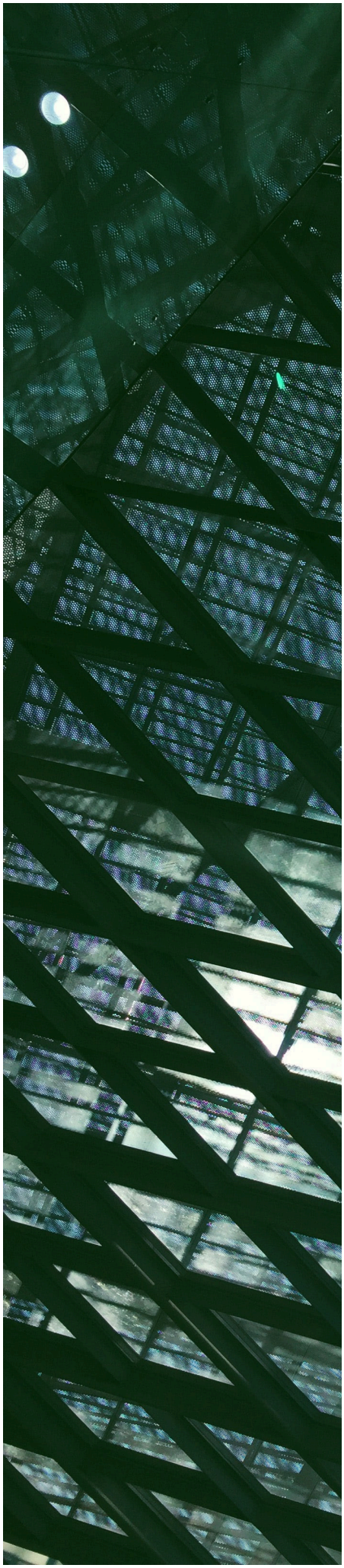
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David Van Iseghem is an attorney specializing in national and international business law (including contracts, distribution, market practices, and international trade), construction law, IT law, intellectual property, TMT (technology, media, and telecommunications), and conflict management. He is a certified mediator in civil and commercial matters and is appointed in that capacity by the courts or at the request of the parties. David is also a member of the editorial board of the legal journal Limburgs Rechtsleven (published by Die Keure), and for several years taught contract law in the postgraduate Business Management program at Hasselt University. He regularly publishes in his areas of expertise and has led numerous seminars and training sessions for organizations such as Voka, VKW, and Unizo.



CIVIL PROCEDURE

FRANCE



COURTS & THEIR DIVISION

- Local Court (Tribunal de Proximité) – Minor and low-value civil disputes (under €10,000).
- Judicial Court (Tribunal judiciaire) – Most general civil disputes, including family law, property, and contracts. Disputes exceeding €10,000.
- Commercial Court (Tribunal de commerce) – Disputes between merchants or relating to commercial transactions.
- Labour Court (Conseil de prud'hommes) – Employment-related disputes between employers and employees.
- Court of Appeal (Cour d'appel) – Appeals against decisions rendered by lower courts.
- Court of Cassation (Cour de cassation) – Supreme court (operating at the national level) for civil, labour, commercial, and criminal matters; reviews decisions rendered by Courts of Appeal.

STAGES OF THE PROCEDURE

- Bringing the action – Serving a writ of summons (assignation) on the defendant – or filing a petition (requête, which initiates an ex parte proceeding leading to an immediate ruling without the other party being summoned).
- Filing the summons with the court registry.
- Exchange of written submissions and exhibits; there may be many exchanges depending on the complexity of the case.
- Oral hearing – Oral presentation of arguments before the court; may be brief or extensive depending on the complexity of the case.
- Judgment – Decision rendered by the court after deliberation.

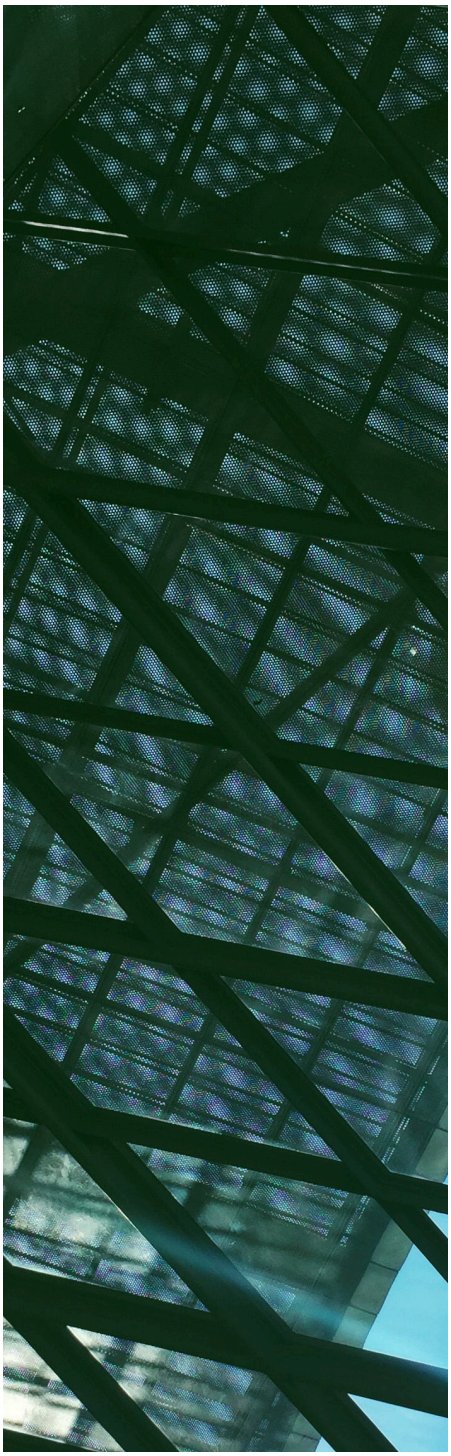
ARBITRATION

The parties may agree to refer their dispute (except those concerning public order) to arbitration, thereby excluding the jurisdiction of state courts, either through an arbitration clause set forth in a contract, or subsequently, through a submission agreement once the dispute has materialized.

Arbitration can be institutional (conducted under the rules of recognized arbitration institutions, e.g., ICC) or ad hoc (organized independently by the parties).

Arbitral awards are binding and may be enforced through exequatur proceedings before a judicial court.

REMEDIES AT LAW



- Appeal (Appel) – Review by the Court of Appeal of both facts and law. New evidence may be admitted. Filed within one month from the notification of the judgement (15 days for summary proceedings order).
- Cassation (Pourvoi en cassation) – Review by the Court of Cassation limited to points of law. Filed within two months from the notification of the decision rendered by the Court of Appeal.
- Opposition (Opposition) – Remedy against default judgments; allows the case to be reheard by the court that rendered the default judgment. Filed within one month from the notification of the judgement.
- Third-party opposition (Tierce opposition) – Allows a third party affected by a judgment to challenge it.
- Referral for interpretation or rectification – Addresses ambiguity or clerical error in the judgment where the parties disagree on its interpretation or precise effect.
- Revision (Révision) – Exceptional remedy aimed at retracting a judgment that has become res judicata, in order for the case to be reconsidered on both factual and legal grounds.

LEGAL REPRESENTATION

- Before local courts for small claims – Legal representation is not mandatory.
- Before Judicial Courts and Courts of Appeal – Legal representation by a lawyer (Avocat à la Cour) is mandatory.
- Before Court of Cassation – Legal representation by a lawyer is mandatory and requires a special accreditation (Avocat au Conseil et à la Cour de Cassation).

COURT COSTS

- Court Fees: Fixed fees based on the value and nature of the dispute.
- Lawyers' Fees: Freely negotiated fees but subject to ethical and regulatory standards.
- Allocation of Costs: The losing party may be ordered to bear all or part of the costs (frais irrépétibles et dépens).

With nine offices and 110 lawyers specializing in all areas of business law, Squair ranks among the 50 largest law firms in France. Our lawyers deliver high-value strategic advice and tailor-made support for the success of our clients' projects and the defense of their interests.

SQUAIR in France is collaborating firm of Andersen Global



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Member of the Paris Bar since 2006, Julia advises on complex commercial and corporate litigation, typically with cross-border issues. She regularly represents foreign clients, guiding them through contractual disputes, partnership and shareholder disputes, and enforcement proceedings. Julia has also solid experience in anti-corruption compliance with large groups and SMEs. Julia worked for leading Anglo-Saxon firms (Taylor Wessing and White & Case) before joining Squair's Paris office, and holds a post-master's degree in Arbitration, Litigation and Alternative Dispute Resolution with Paris Panthéon-Assas University.

CIVIL PROCEDURE
GERMANY



COURTS & THEIR DIVISION

Intance division

- Local Court (Amtsgericht - AG) - responsible for disputes with an value of up to €5,000 and certain speical areas (e.g. tenancy law)0
- Regional Courts (Landgericht - LG) - responsible for disputes with a value of more than €5,000 and appeals against judgments of the local courts
- Higher Regional Courts (OLG) - for appeal against judgments of the regional courts
- Federal Court of Justice (BGH) - final appeal instance for civil cases

STAGES OF THE PROCEDURE

- Bringing the action - filing a statement of claim with the competent court
- Written preliminary proceedings - the defendant is given the opportunity to respond
- Oral hearing - main hearing on the metris of the case
- Taking of evidence - if necessary, e.g. examination of witnesses or expert opinion
- Judgement
- Appeal - possible appeal or review

ARBITRATION

Through an arbitration agreement, the parties exclude the State jurisdiction in case of litigation and agree to a binding and final decision by a (private) arbitration tribunal.

REMEDIES AT LAW

Appeal - §§ 511 ff. - ZPO Substantive and procedural matters may be referred to the Court of Appeal on appeal. The review is essentially limited to checking for errors. New facts can only be taken into account under certain conditions, but this is certainly possible.

Revision - §§ 542 ff. ZPO - On appeal, a judgment on appeal is only reviewed for errors of law. A new hearing of evidence will does take place in any case.

Immediate appeal - §§ 567 ff. ZPO - If an appeal and a revision against a court decision (usually decisions and orders) are not admissible, these can be subject to judicial review by means of an immediate appeal.

Appeal on points of law - §§ 574 ff. ZP In an appeal on points of law, the BGH reviews the decisions of the appellate courts, which are not judgments, for errors of law.

PROXY

There is no obligation to be represented by a lawyer in the local courts.

However, legal representation is mandatory in the regional courts, higher regional courts and Federal Court of Justice.

COURT COSTS

The amount of the legal costs depends on the value in dispute. In principle, the losing party bears the costs of the proceedings.

Legal costs are made up of the court costs and the lawyers' fees of both parties.

The German Lawyers' Fees Act (RVG) governs the amount of the lawyers' fees and the German Court Costs ACT (GKG) governs the court costs.

OTHER RELEVANT INFORMATION

Temporary injuction - possibility of temporary injunction for the provisional regulation of a legal relationship.

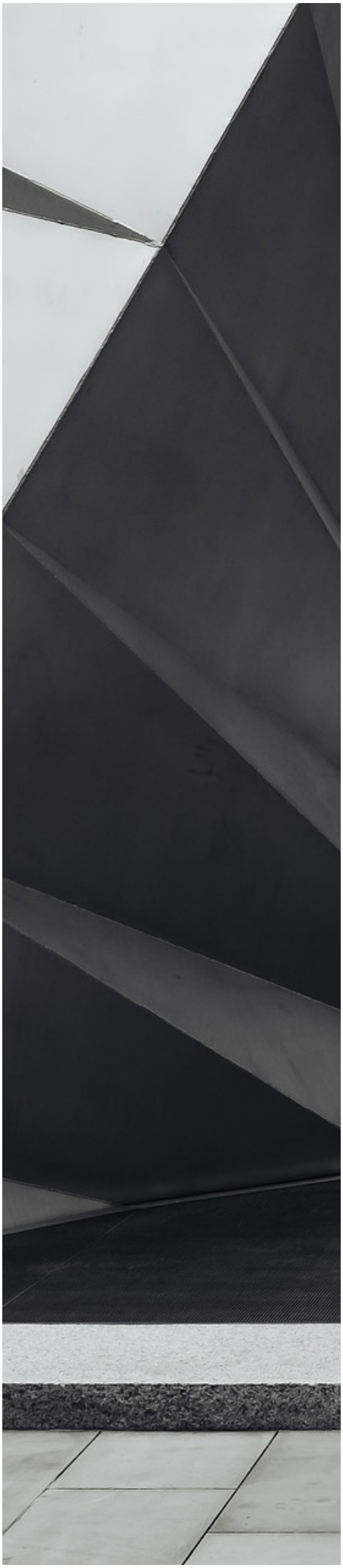
Independent evidentary proceedings - this is judicial procedure that can precede the actual civil proceedings, the main proceedings, or if na agreement is reached on the basis of the evidence procedure, can make the main proceedings unnecessary.

The aim of the evidence proceedings is to secure evidence in a timely manner.

Dunning procedure for the rapid settlement of undisputed claims.

Andersen in Germany is a team of legal and tax professionals who work in close, interdisciplinary partnership-locally and globally-to deliver tailored, efficient solutions built on trust and openness. As an independent member of Andersen Global, we combine international reach with a strong commitment to client-focused, collaborative advisory.

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Dr. Jasper Von Detten

Managing Director/Partner

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Berlin-based lawyer at Andersen in Germany, specializing in private construction law, public procurement, EU state aid, and IT and telecommunications law. He advises public and private clients on planning, construction, contract drafting, dispute resolution and public tender procedures, including digitalization projects. Before joining Andersen in 2018, he gained experience at major law firms in Frankfurt and studied law in Jena and Lausanne.



Philipp Zschaler

Managing Director/Partner

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Philipp Zschaler has been admitted to the bar for over 20 years and specializes in real estate law. He provides comprehensive advice to real estate companies and investors on structuring and implementing transactions, including exit planning. He also deals with project developments and legal issues relating to ongoing real estate management, in particular commercial tenancy law. Philipp Zschaler is also an experienced advisor on insolvency and restructuring issues and regularly advises on the realization of loan collateral and insolvency avoidance matters.



Detlev Stoecker

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Detlev Stoecker advises domestic and international investors on real estate transactions across various structures and asset classes, representing both buyers and sellers. His expertise spans the entire transaction process, from structuring and drafting preliminary agreements, including the organisation of tender procedures, due diligence, contract drafting and negotiation, assisting with financing, and managing post-closing agreements. His practice covers both real estate portfolios and real estate development projects.



Florian Arlt

Senior Associate

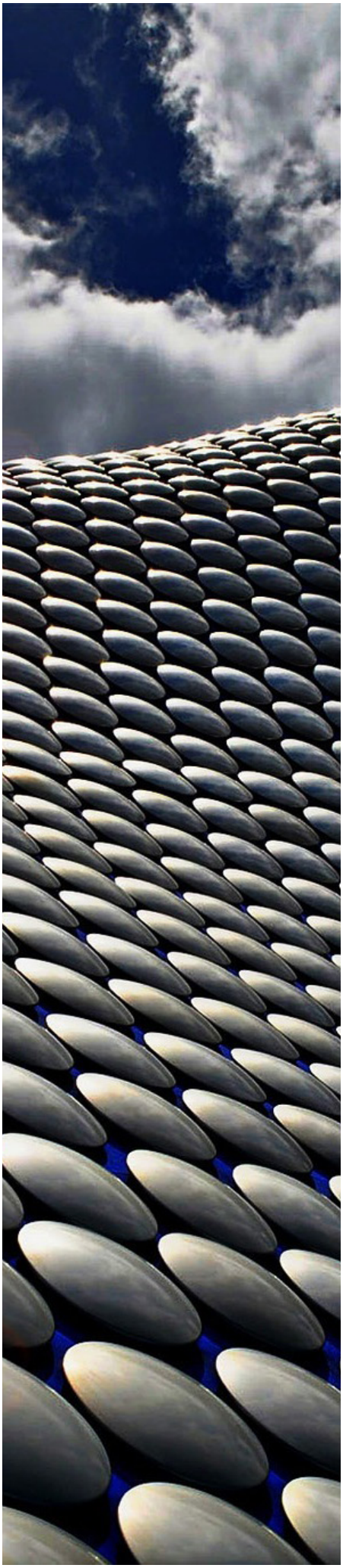
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Florian Arlt studied law at the European University Viadrina Frankfurt (Oder), specializing in “Civil Law Administration”. He then gained international experience as an on-site manager for a German company on a major construction project in Manila (Philippines). During his legal clerkship, which Florian Arlt completed at the Kammergericht, he worked as a research assistant at BDO Legal and before at the law firm Luther.



CIVIL PROCEDURE

GREECE



COURTS & THEIR DIVISION

Instance division:

- Court of First Instance – Single Member: Civil disputes up to €250,000/ Multimember: i. Civil disputes over 250.000 euros or not monetized cases ii. Examines Appeals against decisions of the Single Member Court of First Instance for cases up to €30,000 (as a Second Instance Court)
- Court of Appeals - Examines Appeals against decisions of the Court of First Instance (Single Member for cases over 30.000 euros and Multimember)
- Supreme Court - Examines Appeals solely on points of law

STAGES OF THE PROCEDURE

Filing a lawsuit

- before the competent Court, following the procedural track dictated by the nature of the claim.
- For cases involving amounts over €30,000, the parties are required to initiate the process of resolving the dispute through mediation before filing a lawsuit.

Filing of pleadings

- Both defendant and plaintiff present their position and provide related evidence. Pleadings might be filed prior to the hearing date or at the hearing date, depending on the procedure followed

Hearing of the case

- When pleadings have already been filed, the hearing is a typical procedure when pleadings are filed at the hearing date, a brief presentation of the parties' arguments takes place along with judicial evidence (examination of witnesses).

Judgment

- Following the hearing, the Court issues its decision within a time range of 6 to 8 months. An Appeal can be filed within 30 days following the service of the decision or within 2 years following the issuance of the decision.

ARBITRATION

Admissible in civil and commercial cases, except where the law provides for exclusive jurisdiction of state Courts. A written agreement between parties is needed to submit a dispute to an ad hoc arbitration Court, which is convened for the settlement of the specific case.

REMEDIES AT LAW

Appeal:

- Against the judgment of a court of first instance within 30 days of the date of service of a copy of the judgment to the opponent or 2 years following the issuance of the judgment if no service takes place, unless otherwise provided by law. Initiates the full second instance of jurisdiction. For cases involving amounts below €5,000, lodging an appeal is not permitted.

Application to set aside:

- Remedy against decisions of first and second instance (within 15 days of their service) filed when a party has been tried in absence due to force majeure or due to failure of one party to summon the other to trial in due time.

Revision:

- Certain decisions may be challenged by Revision based on specific legal grounds that are related either to the violation of fundamental procedural principles or to the indirect falsification of the evidentiary basis by fraudulent actions of the opposing party or the judge

Notice of appeal to the Supreme Court:

- Remedy filed within 30 days following the service of the decision, that doesn't initiate a full third instance of jurisdiction, but it examines limited points of law (e.g. infringement of rules of substantial law, failure of the court to take account of material „facts" (allegations) or exceeding the court's jurisdiction).

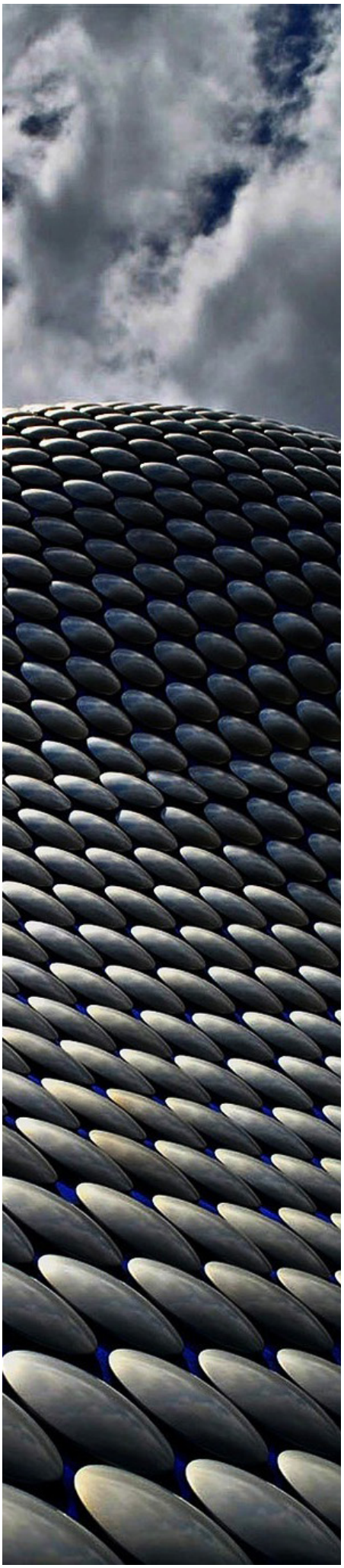
PROXY

Legal representation is mandatory (by attorneys at law), except for lower-value cases (under 5.000 euros) and to prevent imminent danger, where parties can act before the Courts in person.

COURT COSTS

Legal costs include:

- Judicial stamp duties and fees (may vary and either be fixed or depend on the value of the case)
- Attorneys' fees
- Fees for issuance of a writ of execution
- Costs for obtaining evidence such as affidavit etc.
- Claimants are required to pay all costs in advance. The Court's decision imposes part or total amount of the legal costs of the winning party against the losing party. Offsetting expenses due to the difficulty of the legal issues addressed by the Court may occur.



OTHER RELEVANT INFORMATION

The Greek civil legal system provides for a series of procedures in relation to the nature of the dispute, such as regular procedure, procedure of small claims, labor procedures, family disputes, security measures etc., where variations apply regarding procedural and evidence law.

* We note that from 1/1/2026, the Greek Code of Civil Procedure will be amended in relation to a wide range of provisions and the current will be updated accordingly.

Andersen Legal in Greece, based in Athens, provides a full range of legal services for both corporations and individuals. Andersen Legal in Greece focuses on delivering quality and value to its clients through innovative and practical legal solutions on business issues that matter. Andersen Legal in Greece has market leading and deep expertise in many industries including Construction & Real Estate, Energy, Telecoms Media & Technology, Health, Public organization, Shipping, and Commerce.

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Elena Chatzaki

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Elena is a Partner at Andersen Legal Greece with over 20 years of litigation and dispute resolution experience. She has particular expertise in civil, tax, and administrative law, having successfully represented clients before the Greek Supreme Court and the Supreme State Council. An accredited mediator, including in banking disputes, Elena is recognized for her ability to handle complex cases with precision and strategic insight.



Maria Nika

Senior Associate

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Maria Nika is a Senior Associate at Andersen Legal Greece and a member of the Athens Bar Association since 2013. She focuses on civil, commercial, and administrative law, with significant litigation and dispute resolution experience. Having advised both domestic and international clients for nearly a decade, Maria combines strong legal expertise with a practical, business-oriented approach.



CIVIL PROCEDURE
HUNGARY



COURTS & THEIR DIVISION

- District Courts - lower value cases and certain types of cases (e.g.: cases concerning civil status; enforcement cases).
- Regional Courts - higher value cases and cases which are not delegated under the competence of DC (e.g. copyright and industrial property right cases; cases concerning the formation and lawful operation of legal entities; disputes between legal entities and their members); appeals from DC
- Courts of Appeal, appeals from RC
- Curia Appeals, from CoA

In addition to the instances division, Hungarian system also includes substantive division, which refers to the qualification of the cases according to their subject matter.

Regional Court in their capacity as labour courts - Labor cases

STAGES OF THE PROCEDURE

- Filling a statement of claim - Required elements – among others – are the following: court, parties, account of the court's decision, claim, right to be enforced, facts, legal argument, available evidences, value of dispute, the amount of duty to be paid.
- Filling a statement of defence - The defendant presents his position; required elements include, among others, are the following: court, parties, statements challenging the statement of claim, available evidences.
- Preparatory stage - Parties lay down the boundaries of the legal dispute by making statements, denials, admissions, or acknowledgements of the facts and rights in the claim, presenting requests, filing evidence motions, and addressing evidence assessments.
- Main hearing stage - During the main hearing stage, the court shall take evidence and decide on the action within the boundaries of the legal dispute determined during the preparatory stage.
- Judgement - Possibility of appeal within 15 days.

ARBITRATION

Admissible in almost all civil cases, except disputes from consumer contracts, cases related to personal status, guardianship, matrimonial matters, parentage establishment, parental custody and contact rights, adoption dissolution, minor children maintenance, enforcement of personality rights, labour cases, enforcement cases, cases for overturning the notary's decision adopted in actions in possessory matter, administrative cases. There are three Hungarian institutions competent to administer institutional arbitration:

- The Permanent Arbitration Court attached to the Hungarian Chamber of Commerce and Industry
- The Permanent Court of Arbitration for Sport
- The Permanent Court of Arbitration maintained by the Hungarian Chamber of Agriculture

Parties may submit a dispute to an ad hoc arbitration court. They are established on an ad hoc basis to resolve a specific dispute

REMEDIES AT LAW

Appeal - From judgements of courts of first instance. Deadline: 15 days from the delivery of the judgement with justification to the applicant

Retrial - Against court decisions. Deadline: 6 months from the date of the judgment becoming final and binding

Review - To the Curia in certain cases. Deadline: 45 days from the delivery of the judgement with justification to the applicant

PROXY

Parties or their representatives may act before the court in person or by proxies

The following persons may act as proxy:

- Attorneys, law firms, registered in-house legal counsels; relatives of the party; co-litigants and their representatives; employees of economic entities in employer-related actions, employees of administrative bodies in related actions, employees of municipal bodies in actions involving the municipality, and any person authorized by law.

The following may not function as proxy:

- Any person under eighteen; any person been banned from exercising civil rights by a final court judgment; any person placed under guardianship by final court regarding the action and/or procedural steps in court

COURT COSTS

The most relevant types of litigation cost are the following:

- Court Duty, which is payable by the claimant at the time of the submission of the claim. The duty system uses a progressive, tiered structure where the fee increases with the value of the claim.
- Costs in connection with the taking of evidence. These costs are advanced by the interested parties, the most significant of which are the costs of expert evidence.
- Costs of attorneys, advanced by the parties.

Szabó Kelemen & Partners Andersen Attorneys traces its origins back to a firm, which was formed by some of its current partners from the Budapest legal department of a global consulting firm in 1996. Between 1996 and 2006 the firm was the Hungarian member/cooperating partner of various international advisory and law firms. In 2014, another law firm specialized and experienced in the areas of banking and finance, joined the practice. At present, more than 30 lawyers attend to the clients' needs.

Our firm is collaborating with Andersen Global in Hungary as of January 1, 2019 and is a member thereof since January 1, 2020.

Our impressive client base consists of multinationals, as well as large and medium-sized Hungarian companies. Particular strengths include corporate and commercial work, banking & finance law, litigation, real estate as well as providing advice in various industry sectors.

The firm's objective is to provide integrated solutions for its clients according to the most exacting of standards.

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Komáromi András

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András Komáromi is a partner at Andersen in Hungary. He specializes in legal disputes and litigation, mergers and acquisitions, real estate transactions, corporate and commercial law, corporate reorganizations, and insolvency proceedings.



Zsolt Eperjesi

Attorney at law

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Zsolt Eperjesi is an attorney-at-law at Andersen Legal in Hungary. He mainly engages in advising businesses, ranging from multinational corporations to medium-sized enterprises, as well as private individuals on a wide range of matters. He primarily pursues his activity in Hungary but often takes part in cross-border transactions, too.



CIVIL PROCEDURE

ITALY



COURTS & THEIR DIVISION

- Giudice di Pace (Justice of the Peace) - Minor and low-value civil disputes, up to €10.000, and up to €25.000 in specific cases.
- Tribunale (Court of First Instance) - Civil cases of higher value or complexity; appeals against the decisions of the Giudice di Pace.
- Corte d'Apello - Appeals against decisions of the Tribunale.
- Corte di Cassazione - Court of last instance; examines appeals solely on points of law

Territorial and functional organization of the judiciary

Within the judicial offices (except for the Corte di Cassazione, which operates at the national level) each court is territorially organized according to the law, and subject matters are further divided into specific sections.

STAGES OF THE PROCEDURE

- Initiation - the proceedings are initiated by a writ of summons (atto di citazione) or a petition (ricorso), depending on the applicable procedural track.
- Service and Filing - the initiating act is served on the defendant and filed with the court.
- Appearance and defence of the Parties - the defendant enters an appearance and files a response within the time limits provided by law.
- Pre-trial Phase and Case Management - the court sets the procedural

Territorial and functional organization of the judiciary

Within the judicial offices (except for the Corte di Cassazione, which operates at the national level) each court is territorially organized according to the law, and subject matters are further divided into specific sections.

ARBITRATION

Disputes may be submitted to private arbitration by written agreement between the parties.

Ritual arbitration - Occurs when the parties entrust arbitrators with the resolution of dispute that could have been assigned to ordinary justice. It produces an enforceable award equivalent to a court judgment that is not subject to appeal and excludes State's jurisdiction over the dispute.

Non-ritual arbitration - Results in a contractual decision, occurs when the parties agree to resolve their dispute through arbitrators without the intention of obtaining a legally binding decision; it's not directly enforceable.

REMEDIES AT LAW

Appeal (Apello) - Filed within 30 days from notification of the judgement, or 6 months from the publication, if not served. New claims, facts or evidence may not be introduced in appeal, except in the cases provided by law. Heard by the Corte d'Appello against first-instance decisions of the Tribunale, or by the Tribunale against first-instance decisions of the Giudice di Pace.

Appeal before the Court of Cassation (Ricorso per Cassazione) - Limited to points of law. Filed within 60 days from notification of the judgment, or 6 months from the publication, if not notified. Heard by the Corte di Cassazione against decisions of the Corte d'Appello or other final judgments.

Revision (Revocazione) - Extraordinary remedy against final judgments based on fraud or new evidence. Filed before the same court that issued the judgment, in 30 days from discovery of the ground.

Complaint against interim orders (Reclamo) - Available against interim or procedural orders. Filed within 15 or 30 days, depending on the nature of the order.

PROXY

Before the Giudice di Pace, parties may act personally only for claims up to €1100.

Legal representation by a lawyer is mandatory before Tribunale, Corte d'Appello, Corte di Cassazione and Alternative Dispute Resolution proceedings.

Advocacy before the highest courts, including the Corte di Cassazione, requires a special qualification beyond ordinary bar admission.

COURT COSTS

Proportional Fees (Contributo unificato) for court costs are determined by the law, and set in accordance with the value and the subject of the dispute.

Lawyers' fees are independently negotiated with the client, but they must comply with the Ministerial Decree on legal fees.

At the conclusion of the proceedings, costs may be borne by the party against whom the judgment is rendered or offset between the parties



Andersen in Italy was founded in 2014 through the merger of several historic professional firms, combining their expertise to form a multidisciplinary, client--focused consulting network. Since joining Andersen Global the same year, the firm has grown steadily, expanding its services across legal, tax and corporate finance, with offcies in major Italian cities and over 260 professionals.

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Antonio de Paoli

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Antonio is a legal consultant with expertise in private, commercial, fiscal and criminal law, providing representation before the highest courts. He advises, individuals and companies, particularly in matters of family law, inheritance and debt recovery. Additionally, he has developed significant experience in alternative dispute resolution across diverse legal fields.



Maurizio Onza

Partner, Lawyer

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Maurizio combines academic and professional activity: he is a Professor of Commercial Law at the Università Europea of Rome, Department of Law, and a lawyer specializing in judicial and extrajudicial assistance of companies, both Italian and foreign. Maurizio is a member of the National Observatory of Corporate Law for the reform of partnerships. In 2024 he was appointed Commissioner of the competition, by examinations, for 400 posts of ordinary magistrate (d.m. April 8, 2024) and Member of the Maximum Commission of Corporate Law – Notary Council of the Districts of Rome, Velletri and Civitavecchia.



Andrea Ferrandi

Partner, Lawyer

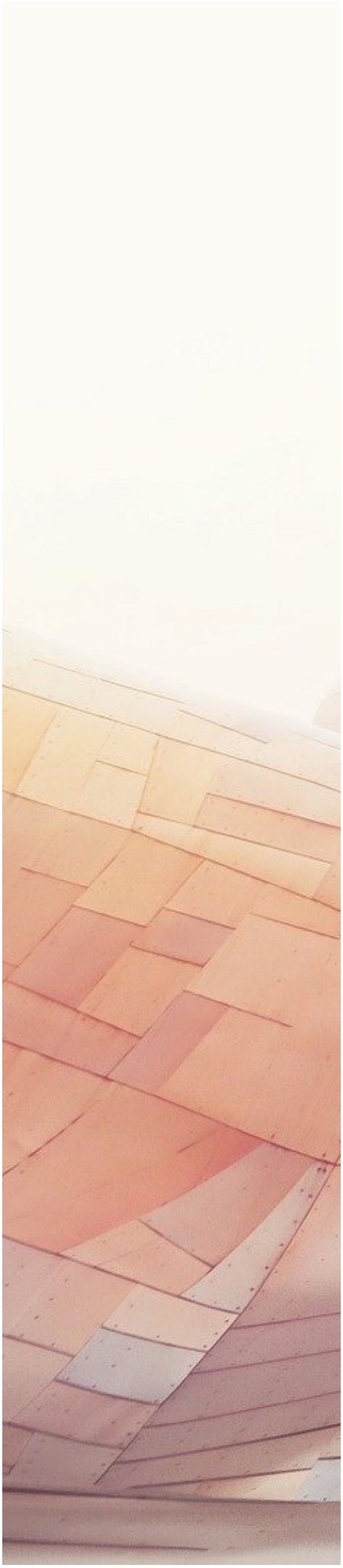
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Andrea has gained significant experience in providing legal assistance in civil and commercial disputes, such as ordinary cognition, summary or emergency proceedings also before specialized sections and arbitration courts, with particular focus on contractual violations, liability of directors and other corporate bodies, disputes between shareholders. He has worked out numerous insolvency and insolvency proceedings. He advises and assists clients in the acquisition of activities (shareholdings or company branches) and assets (fixed and non-fixed assets, business units), including during bankruptcy procedures and composition estimate. In the context of bankruptcy proceedings, he helps and advises the debtor in the preparation of sureties and bank guarantees. He also supports in before and after stage of bankruptcy composition.



CIVIL PROCEDURE

LATVIA



COURTS & THEIR DIVISION

Judicial power in the Republic of Latvia belongs to district (city) courts, regional courts, the Supreme Court, and the Constitutional Court.

First instance. At the initial level, civil cases are heard in district (city) courts. Latvia has also established a specialized first instance court – the Economic Court – which deals with specific types of civil and criminal cases.

Appellate instance. Regional courts function as courts of appeal, allowing parties to challenge the decisions of district (city) courts.

Cassation instance. The Supreme Court functions as the cassation instance, which is the highest level of courts in Latvia. In cassation proceedings, the court examines whether the judgment of a lower court complies with substantive and procedural law, relying solely on the evidence and documents already presented in the case.

The Constitutional Court. Does not exercise general jurisdiction; rather, it is a judicial body tasked with upholding the Constitution and hearing complaints from individuals or legal entities claiming that their fundamental rights or freedoms have been violated.

STAGES OF THE PROCEDURE

Filing a statement of claim: the claimant submits a claim meeting Civil Procedure Law requirements and pays the court fee. The court conducts a preliminary review of jurisdiction and formal completeness.

Service and defence: the claim is served on the defendant, who files a written statement of defence; counterclaim may be raised.

Preparation and evidence: the court organises case management, sets deadlines, and orders evidence based on a request by one of the parties; evidence includes documents, witness testimony, expert opinions, inspections, and other lawful means under the law. The law recognises the preparatory hearing, although such hearings are infrequently used.

Hearing and judgment: the court holds a hearing, examines evidence, and issues a reasoned judgment; written proceedings may be used in defined situations by law.

ARBITRATION

Arbitration in Latvia is governed primarily by the Arbitration Law and complemented by the Civil Procedure Law for court assistance and control; parties may agree to permanent (many in Latvia) or ad-hoc arbitration seated in Latvia.

State courts assist with referral to arbitration where a valid agreement exists, interim measures (including before and during arbitration), appointment / challenge of arbitrators, evidence taking, recognition / enforcement, and challenges within statutory limits.

Award challenge: arbitral awards seated in Latvia may be challenged in first instance courts within 30 days on defined grounds, with limited appeal possibilities.

REMEDIES AT LAW

Appeal: An appeal against a first-instance court judgment must be submitted within 20 days from the day the judgment is pronounced. If the judgment is drawn up after the indicated date, the time starts from the actual date of the full judgment.

Cassation: A cassation appeal must be submitted within 30 days from the day the judgment is pronounced.

Revision: A case may be reopened for a new examination upon discovery of new circumstances that existed during the original proceedings but were not known or could not have been known at that time

PROXY

In civil cases, parties may represent themselves or act through an authorized representative. The power of attorney must be notarized if the authorizing party is a natural person. If an attorney-at-law represents the party, notarization is not required – whether the authorizing party is a natural person or a legal person; a written authorization together with the advocate's warrant is sufficient. A party may also authorize a representative orally during a court session.

COURT COSTS

Court expenses are State fee and expenses related to examination of a case.

Court fees are generally linked to the value of the claim or set as fixed fees by the Civil Procedure Law. Additional costs include expert fees, witness expenses, translations, copies, and service costs. As a rule, costs follow the event: the losing party bears reasonable costs of the successful party as determined by the court under CPL principles, this includes expenses for the assistance of advocates.

WIDEN is one of the ten largest business law firms in the Baltic States, bringing together more than 120 legal professionals in Lithuania, Latvia, and Estonia. With more than 20 years of experience, the firm has built a reputation for excellence and are consistently recognized by leading international legal directories, including Legal 500, Chambers and Partners, and IFLR1000. The Lithuanian team currently consists of more than 60 lawyers who deal with various business law issues, ranging from dispute resolution, employment, corporate, competition, public procurement, banking and finance, fintech, tax, real estate and construction to mergers and acquisitions, insolvency and restructuring, anti-money laundering, data protection, intellectual property, consumer protection, technology and media, advertising, energy, environmental, medical and pharmaceutical, family, migration, criminal, and contract law.

WIDEN in Latvia is a collaborating firm of Andersen Global





Jānis Ešenvalds

Managing Partner, Attorney at law

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Jānis Ešenvalds is Managing Partner at WIDEN Legal with over 20 years of experience in dispute resolution, litigation, and commercial law. Recognized by The Legal 500, he has represented clients in hundreds of cases across all Latvian court instances and the Court of Justice of the European Union, and has acted as an expert in international arbitration. His practice spans real estate, construction, insolvency, cross-border corporate transactions, and large-scale public procurement projects, including advising on complex property law issues.

His work includes representing a client in a human rights case before the European Court of Human Rights involving property rights and fair trial violations, advising on a strategically important shareholder settlement, and providing legal opinions on high-risk licensing and public procurement matters. Jānis is known for balancing courtroom advocacy with negotiation and risk management, making him a versatile and trusted dispute resolution expert.

He also contributes to legal education through seminars and mentoring, making him a respected figure in the Baltic legal landscape.



Armands Rasa

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Armands Rasa has a long-standing litigation experience before Latvian courts of all instances and the Court of Justice of the European Union. His practice covers civil, commercial, financial, and administrative law, as well as personal data protection.

Since 2010, he has focused on representing creditors in complex bank insolvency proceedings and on cases involving criminally acquired assets and white-collar crime.

In addition to client work, Armands serves as a member of the Latvian Council of Sworn Advocates' Commission for Professional Training, Oversight, and Examination, contributing to the development and supervision of the legal profession in Latvia.



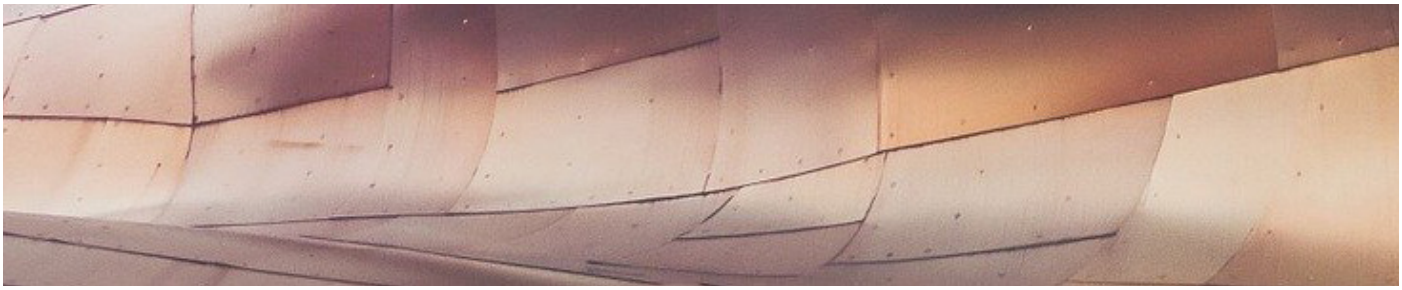
Lāsma Dunovska

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Lāsma Dunovska has extensive experience in handling complex legal disputes, including cases involving damage recovery, contested transactions, construction, and property-related matters, such as forced property issues. She also advises on intricate labor law matters, helping clients prevent lengthy and costly litigation by providing strategic guidance on employment relations and commercial activities affecting employees.

Much of her work focuses on assisting foreign clients with subsidiaries in Latvia, ensuring alignment between Latvian law and the legal frameworks of their home jurisdictions. In addition, Lāsma represents clients in family law matters, offering comprehensive legal support across diverse practice areas.





Sintija Miķelsone

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Sintija is an attorney with experience in dispute resolution and civil litigation, particularly in cases involving legal infringements and damages. Her background includes working as a Judge Assistant at the Supreme Court of the Republic of Latvia, where she gained valuable insight into judicial processes and strengthened her ability to navigate complex legal matters.

She has developed expertise across various fields of law, not only in resolving civil disputes and matters but also in achieving positive outcomes in other areas, such as administrative law and administrative proceedings, as well as criminal law.



Kārlis Ešenvalds

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Kārlis has 15 years of legal experience, including over 10 years representing clients in civil and administrative litigation. He has expertise in property, commercial, labor, immigration, and insolvency law. Kārlis has successfully handled complex shareholder disputes, advised international clients on residence permits through investments and real estate, and managed corporate reorganizations and liquidations.

His background as both a court employee and practicing lawyer gives him valuable insight into judicial processes and litigation strategy.



CIVIL PROCEDURE
LITHUANIA



COURTS & THEIR DIVISION

District Court (DC) - responsible for handling cases of lower value (under EUR 100,000), family law matters, labor law disputes, and claims for non-material damage.

Regional Court (RC) - responsible for handling cases of higher value (over EUR 100,000), cases concerning copyright and non-material legal relations, civil public procurement legal relations, bankruptcy and restructuring (excluding cases related to personal bankruptcy), cases where one party is a foreign state, claims for compulsory sale of shares (stakes, interests), claims for the investigation of legal entity activities, claims for material and non-material damage resulting from the violation of established patient rights, compensation claims, and appeals against judgments of the DC.

Court of Appeal – hears appeals against judgments of the RC judgments as a court of first instance.

Supreme Court (SC) - the SC is a body of judicial power that hears cassation appeals solely on points of law.

STAGES OF THE PROCEDURE

Pre-trial dispute resolution – in certain categories of cases, such as labor disputes and specific family law disputes, pre-trial dispute resolution is mandatory.

Court proceedings:

- Filing a lawsuit – required elements: parties, factual circumstances, evidence, claim, value in dispute, opinion on the possibility of a default judgment, information on whether the case will be handled by an attorney, opinion on the possibility of reaching a settlement agreement.
- Response to the lawsuit – the defendant presents their position.
- Preparation for the case hearing – this takes place either during the preliminary court hearing or through the submission of preparatory documents (the claimant submitting a response to the defendant's response to the lawsuit, and the defendant submitting a response to the claimant's response (rejoinder)).
- Hearing – evidence is examined, witnesses are questioned, and the parties' explanations are heard.
- Judgment – as a general rule, the court renders its decision within 20 days from the completion of the hearing of the case. An appeal may be lodged within 30 days from the date of the first-instance court's decision.

ARBITRATION

Admissible in almost all civil cases. Exclusions: disputes arising from family law relationships, disputes related to patent, trademark, and design registrations, disputes arising from employment and consumer contracts, except in cases where an arbitration agreement was made after the dispute arose.

The arbitration court in Lithuania is the Vilnius Court of Commercial Arbitration.

REMEDIES AT LAW

Separate appeal - an appeal by a party to the proceedings against a ruling of the court of first instance, submitted to the appellate court. The appeal may be filed when the law provides for it or when the ruling prevents further progress of the case. Deadline: within 7 days from the date of delivery of the certified copy of the ruling.

Appeal - against judgments of courts of first instance. Deadline: within 30 days from the date of the first instance court's decision.

Cassation – to the Supreme Court in certain cases. Deadline: within 3 months from the date the appealed decision or ruling becomes final.

Renewal of proceedings – in exceptional cases, such as when new essential facts of the case emerge, when the court's decision concerns the material rights or obligations of individuals who were not involved in the proceedings, etc.

PROXY

Parties and their bodies or legal representatives may act before the court in person or by proxies. Representatives are categorized into those who represent by law and those who represent by mandate.

There is no obligation to be represented by an attorney in the District Court and the Regional Court. However, legal representation is mandatory in the Supreme Court, as well as in certain types of disputes, such as cases regarding the investigation of the activities of a legal entity.

COURT COSTS

The amount of court fees depends on the value of the dispute. In pecuniary disputes – calculated from the amount of the claim as follows:

- up to EUR 30,000 – 3%, but not less than EUR 20;
- from amounts exceeding EUR 30,000 up to EUR 100,000 – EUR 900 plus 2% of the portion of the claim exceeding EUR 30,000;
- from amounts exceeding EUR 100,000 – EUR 2,300 plus 1% of the portion of the claim exceeding EUR 100,000.

The total amount of the court fee in pecuniary disputes may not exceed EUR 15,000. In principle, the losing party bears the costs of the proceedings.

Legal costs are made up of court costs, the lawyers' fees of both parties, translation costs, if such are required, and expert fees, if an expert examination is appointed in the case.

OTHER RELEVANT INFORMATION

Interim measures - the possibility to apply measures aimed at ensuring the enforcement of a final decision or protecting one party's interests until a final decision is made in the case. These may include actions such as asset seizure, the imposition of temporary obligations, or the application of other restrictions.



WIDEN is one of the ten largest business law firms in the Baltic States, bringing together more than 120 legal professionals in Lithuania, Latvia, and Estonia. With more than 20 years of experience, the firm has built a reputation for excellence and are consistently recognized by leading international legal directories, including Legal 500, Chambers and Partners, and IFLR1000. The Lithuanian team currently consists of more than 60 lawyers who deal with various business law issues, ranging from dispute resolution, employment, corporate, competition, public procurement, banking and finance, fintech, tax, real estate and construction to mergers and acquisitions, insolvency and restructuring, anti-money laundering, data protection, intellectual property, consumer protection, technology and media, advertising, energy, environmental, medical and pharmaceutical, family, migration, criminal, and contract law.

WIDEN in Lithuania is a collaborating firm of Andersen Global



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Mantas represents clients' interests in a wide range of litigation matters. He most frequently acts in commercial litigation, including pecuniary disputes, shareholders' disputes, disagreements arising in insolvency proceedings, cases concerning intellectual property and copyright infringements, real estate–related disputes, employment disputes, and other matters. In addition to litigation, Mantas is recognized as an outstanding labor law expert both nationally and internationally and has been ranked for many years in international legal directories. Among other activities, he lectures at ISM University of Management and Economics.



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Lauras Naglis, Associate Partner, has more than 10 years of experience in civil law and litigation. He a ssists clients in civil disputes, including those arising from employment relationships, and advises on the most effective measures to prevent disputes. Lauras ensures that all documents prepared reflect and protect clients' interests and, when necessary, represents them in negotiations, court proceedings, or before labor dispute commissions. In addition to his broad legal experience, part of his career has been devoted to lecturing.



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Jovita Šimanskytė, Associate, has more than 5 years of experience working with a wide range of employment and civil law matters, including procedural issues. She assists clients on various employment and civil law matters, prepares employment law documentation regulating work organization in companies, and drafts procedural documents in both pre-trial and court proceedings.



CIVIL PROCEDURE

MALTA



COURTS & THEIR DIVISION

Instance division

Juvenile Court
- Charges and proceedings relating to minors under 18 years, including care orders.

Court of Magistrates (Gozo)
- Mirrors the jurisdiction of Court of Magistrates (Malta) for civil claims. It also exercises superior jurisdiction for civil and commercial cases within its territorial limits. Also has powers of a Court of Voluntary Jurisdiction.

Court of Magistrates (Malta)
- Operates as a court of inferior jurisdiction in relation to civil claims exceeding €5,000 but not exceeding €15,000.

Civil Court (Voluntary Jurisdiction Section)
- Issues related to tutorship of minors, adoption proceedings, interdiction and incapacitation of persons, opening of succession, and confirmation of testamentary executors.

Civil Court (Commercial Section)
- Handles cases governed by the Companies Act such as insolvency matters, minority shareholder actions, claims for breaches of directors' duties.

Civil Court (Family Section)
- Cases related to marriage, civil union dissolution, filiation, parental authority, custody disputes and minor abduction.

First Hall of the Civil Court (Constitutional Jurisdiction)
- Addresses alleged violations of human rights and fundamental freedoms.

First Hall of the Civil Court
- Serves as a court of first instance in handling civil and commercial cases exceeding the jurisdiction of the Court of Magistrates.

Court of Appeal
- Hears appeals from judgments delivered by the Civil Court, Court of Magistrates (civil jurisdiction), and various administrative tribunals.

Constitutional Court
- Primary function: Appellate body in cases concerning alleged breaches of fundamental human rights, interpretation of the Constitution, and invalidity of laws.
- Secondary function: Exercises original jurisdiction in matters related to the composition of the House of Representatives and election-related references.

STAGES OF THE PROCEDURE

- Filing a sworn application by plaintiff
- Case assignment to an adjudicator
- Service on the counterparty
- Filing of sworn reply by defendant
- First hearing – preliminary pleas
- Evidence presentation (documentary and witnesses) through fragmented hearings
- Parties' written and/or oral submissions once evidence is concluded
- Court adjourns case to deliver judgment
- Judgment

ARBITRATION

Arbitration in Malta may be either mandatory, where the law requires parties to resolve their dispute through arbitration, or voluntary, where parties enter into a written agreement committing to settle any arising disputes via arbitration rather than through the courts. The Malta Arbitration Centre (MAC) administers domestic and international arbitrations. Parties file an arbitration notice with the MAC, which forwards it to the respondent, who files a statement of defense. Arbitrators are selected, and parties present evidence to the arbitrator/s. The arbitral award is written, requires costs to be settled before issuance, and is enforceable in the same manner as a court judgement. Generally, this covers civil and commercial disputes.

REMEDIES AT LAW

Appeal - Against judgments of courts of first instance

Constituional Applications - For administrative acts believed to violate the Constitution or fundamental human rights.

Judicial Review of Administrative Acts - Challenges to administrative acts and/or decisions in court if contrary to law or public policy.

PROXY

A proxy is typically formalised through a power of attorney or a board resolution in case of companies. If an individual is not present in Malta, s/he may appoint another person or an advocate to file proceedings on his/her behalf in court.

COURT COSTS

Fees fixed in advance, generally based on the value of the subject matter of the dispute.



Andersen in Malta, located in Valletta, offers a broad spectrum of integrated tax and business advisory services, including personal and corporate tax advisory, tax compliance, transfer pricing, data compliance, global mobility and HNW immigration, estate planning, private wealth structuring, and family business advisory services. The firm specializes in navigating complex regulatory and tax frameworks across borders and advises high-net-worth individuals, family offices, and multinational businesses.

Chetcuti Cauchi in Malta is a member firm of Andersen Global



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With a robust background in civil and commercial law, Dr Luana Cuschieri provides expert advice and assistance to clients on a wide range of legal matters, including contract negotiations, employment law, and private civil law issues. She is particularly experienced in succession, family law, and dispute resolution matters. With experience in litigation at Malta's Law Courts, she is dedicated to delivering tailored legal solutions to meet her clients' needs. Dr Cuschieri's contributions to the firm's strategic initiatives, particularly in dispute resolution, have significantly enhanced the firm's capabilities and reputation.



CIVIL PROCEDURE
NORTH MACEDONIA

COURTS & THEIR DIVISION

Basic Courts having basic competence - Low value disputes, family disputes, property disputes securing and enforcement proceedings labor disputes, inheritance disputes, non-contentious and inheritance matters.

Basic Courts having extended competence - the abovementioned disputes of higher values, commerc ial disputes, copyright and other IP disputes, bankruptcy and liquidation proceedings, disputes for determination and securing coercive enforcement, disputes between domestic legal entities and foreign entities that arise from their mutual commercial relations.

Courts of appeal - appeals against decisions of the basic courts, conflict of competences between basic courts.

Decides in the second instance on decisions of its councils, in the third and last instance on appeals against the decisions of the courts of appeal, on extraordinary legal remedies, on conflicts of competence and transfer of territorial jurisdiction among courts, on the request of the parties and the other participants in the proceedings on the violation of the right to a trial within a reasonable time, in a procedure established by law before the courts of the Republic of Macedonia.

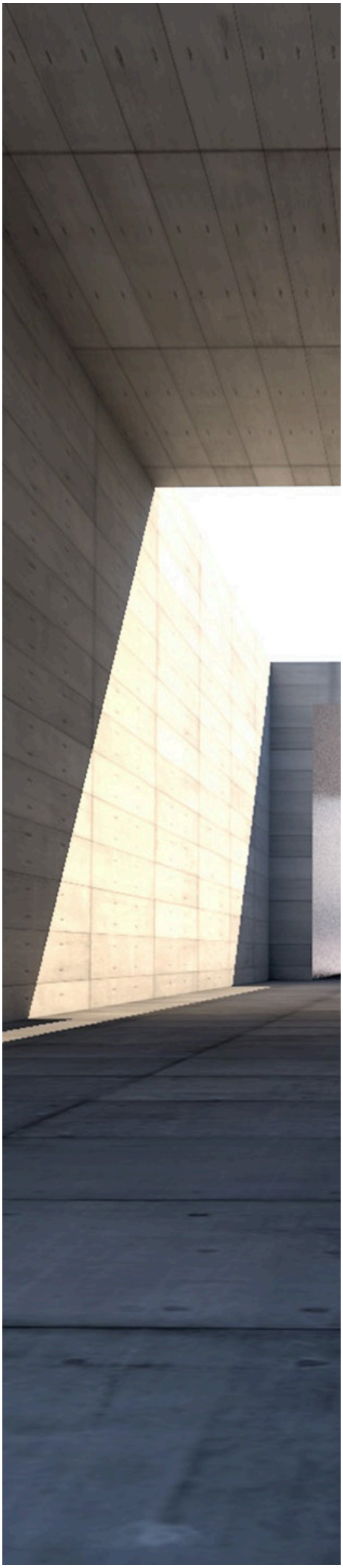
STAGES OF THE PROCEDURE

Preparation of the main case

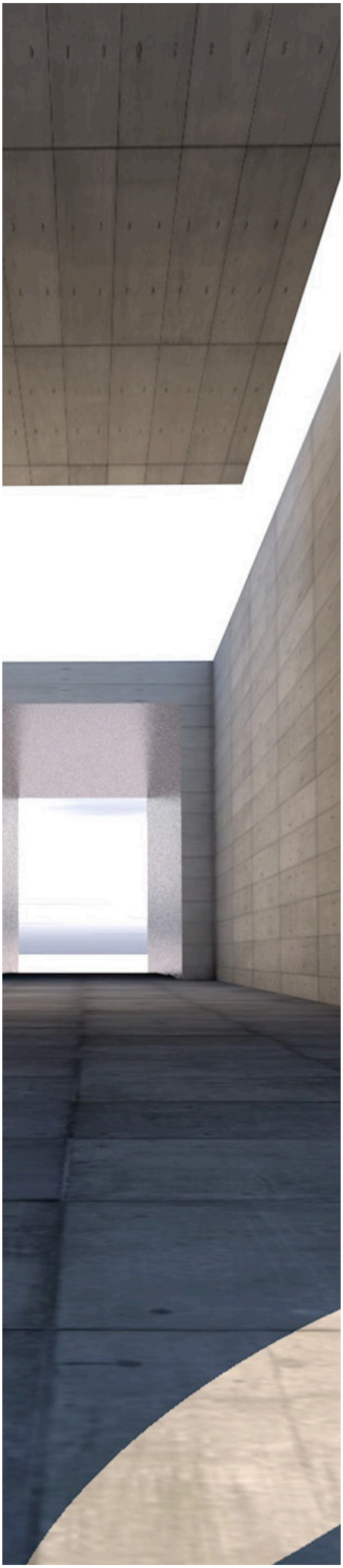
- Preliminary examination of the claim - the court reviews the claim for comprehensibility, completness and the court's jurisdiction
- Response to the claim - the statement of claim is served on the defendant to enable them to present their position
- Pre-trial hearing - procedural issues are settled, which includes the presentation of facts and evidence before the start of the main case
- Scheduling the hearing of the main case.

Main case - presentation of the arguments and evidence

Reaching the verdict - an appeal may be lodged within 15 days, unless otherwise provided by law, for certain types of disputes.



ARBITRATION



Admissible in civil and commercial cases, except where the law provides for the exclusive jurisdiction of state courts.

These exceptions are:

- disputes regarding immovable property and obstruction of possession,
- disputes concerning aircraft and ships,
- disputes in enforcement and bankruptcy proceedings,
- marital and family disputes, establishment,
- termination and changes of status of legal entities etc.

There are two permanent arbitration courts:

- **The Permanent Court of Arbitration** attached to the economic chamber of North Macedonia
- **The Permanent Arbitration Court attached to the Union of Chambers of Commerce**.

In practice, only the Permanent Court of Arbitration attached ot the Economic Chamber of North Macedonia is operational, while the second one does not take part in dispute settlement. The parties are free to submit their disputes to an ad hoc arbitration.

REMEDIES AT LAW

Appeal - against the judgement of a court of first instance within 15 days of the date of delivery of a copy of the judgement, unless otherwise provided by law. In the case of disputes concerning bills of exchange and checks, the time limit is eight days.

Revision - against a legally valid judgment of a court of second-instance - within 30 days of the delivery of a copy of the judgement. Revisions are decided by the Supreme Court. Revision is allowed only if certain conditions are met.

Immediate appeal - a party may propose the repetition of proceedings in which a legally valid judgement has been issued, if certain conditions prescribed by law are met.

The court of first instance that issued the judgement decides on the proposal for retrial.

PROXY

The parties may either appper in person or be represented by attorneys-in-fact, but he court may summon the party represented by an attorney to make a personal statement before the court on the facts to be determined in the proceedings.

A party may be represented by:
- an attorney at law,
- a law graduate who is employed by the party and a direct blood relative,
- sibling or spouse, provided they have full capacity to contract.

If the value of the subject of the dispute exceeds MKD 1,000.000, a legal entity may be represented by a graduate in law with a passed bar exam, who is in an employment relationship with the legal entity.

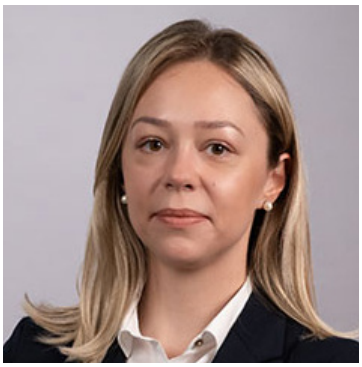
COURT COSTS

Court fees - determined in relation to the value in dispute (a fee for filing a lawsuit, a fee for issuing a decision, a fee for filing an appeal, or a response to an appeal and other fees in accordance with the Law on Court Fees).

Costs of obtaining evidence - for inspection, expert finding and opinion etc.

Law Office Pepeljugoski, part of Andersen Global in North Macedonia, is a multidisciplinary law firm founded in 1999 and recognized as a leader in intellectual property, business law, and contract law. With expertise spanning civil and criminal law, including telecom, media, customs, tax, and energy law, the firm advises both local and international clients, including major players in the public and private sectors.

Law Office Pepeljugoski in North Macedonia is collaborating firm of Andersen Global



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She holds a PhD in Intellectual Property from the Faculty of Law „Iustinianus Primus" in Skopje, University „Ss. Cyril and Methodius", earned in 2017, and also holds a joint master's degree with the University of Strasbourg. Since 2011, she has been part of the Pepeljugoski Law Firm, becoming an attorney in 2015 and a partner in 2019, while actively participating in international arbitration competitions and legal training. She is the author of several books and scholarly works and is fluent in English, German, Albanian and Italian.



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Valentin Pepeljugoski Ph.D. is one of the leading Attorneys at law in the Adriatic region. As an Attorney at law since 1999, he has extensive theoretical and practical experience in the field of intellectual property, competition law, e-commerce, telecommunications, corporate governance and consumer protection. Since 2003 he holds the title - Ph.D. of Law at the Faculty of Law in Skopje. He has experience working IPRs related projects/cases in Republic of North Macedonia, Kosovo, Serbia, Albania and throughout Balkans. As part of the Macedonian negotiation team, Pepeljugoski participated in the WTO accession process having in-depth knowledge on WTO TRIPS Agreement. Valentin Pepeljugoski is also a full-time professor in the field of IPRs, competition law, etc. He is author of many university textbooks, as well as numerous scientific and research international papers. He also took part in many seminars, conferences, symposiums. He is fluent in English, Macedonian, Serbian and Croatian, as well as German and Bulgarian.



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Dejan Stojanoski graduated at the Faculty of Law "Iustinianus Primus" University of „Ss. Cyril and Methodius" - Skopje in 2002. He passed the bar exam in 2005. Started working in Law Office Pepeljugoski as a junior advisor in 2002 and as an Attorney at Law since 2005. Since October 2011, he has been a participant in the Double Degree Master program in Intellectual property organized by the Faculty of Law „Iustinianus Primus" at the University "Ss. Cyril and Methodius" and the University of Strasbourg (Centre for International Intellectual Property Studies). He has extensive experience in the field of dispute resolution, contract law and corporate law. He speaks fluently English, Serbian and Bulgarian language

CIVIL PROCEDURE
POLAND

COURTS & THEIR DIVISION

Instance division

- Regional Court (RC) - all cases except those reserved for District Courts
- District Court (DC) - appeals against RC's judgements (as a court of II instance) and cases concerning:
  - non-property rights and related property claims, except for cases concerning the determination of a child's origin, the determination of the invalidity of paternity recognition and the dissolution of adoption;
  - claims arising from the Press Law;
  - property rights, where the value of the subject of the dispute exceeds PLN 100,000, except for cases concerning alimony, infringement of possession, establishment of separate property between spouses and cases heard in electronic writ-of-payment proceedings;
  - issuing a ruling replacing a resolution on the division of a cooperative;
  - repeal, invalidation or determination of the existence of resolutions of legal persons or organizational units;
  - compensation for damage caused by the issuance of a final and binding ruling that is contrary to the law;
  - claims arising from the violation of rights under personal data protection regulations.
- Court of Appeals (CA) - appeals against DC's judgements (as a court of II instance)
- Supreme Court (SC) - not a court of general jurisdiction, SC is an organ of judicial power, hears cassation appeal's

In addition to instances division, courts in Poland are also divided according to the subject matter of the cases they deal with.

Substance division

- Civil Division - hears civil claims
- Family Division - hears cases concerning family and guardianship law, cases concerning the demoralization and criminal acts of minors, the treatment of addicted persons and cases falling within the jurisdiction of the guardianship court (RC), matters relating to marriage and incapacitation (DC)
- Intellectual property Division – recognizes intellectual property cases, including cases related to the protection of EU trademarks and Community designs, as well as the prevention and combating of unfair competition; the protection of personal rights insofar as it concerns the use of personal rights for the purpose of individualization, advertising, or promotion of an entrepreneur, goods, or services; protection of personal rights in connection with scientific or inventive activity
- Commercial Division – hears disputes arising from corporate relations and civil relations between entrepreneurs in the scope of their business activities
- Labor and social security Division – recognizes employment and pension cases
- Land registry Division - examines applications for registration of ownership, perpetual usufruct, limited property rights, personal rights and examines applications for the deletion of these rights
- Commercial Division, Section of National court register - hears cases concerning the register of entrepreneurs, the register of associations, other social and professional organizations, foundations, and independent public healthcare institutions, as well as the register of insolvent debtors
- Commercial Division, Pledge registry Section - handles pledge registry matters



STAGES OF THE PROCEDURE

- Filing a lawsuit - required elements: parties claim, value in dispute, evidences
- Response to the lawsuit - the defendant presents their position
- Taking of evidence - witnesses, documents, experts
- Hearing - presentation of arguments and evidence
- Judgement - possibility of appeal within basically 14 days

ARBITRATION

The parties may submit the following matters to arbitration:

- disputes concerning property rights, with the exception of alimony cases
- disputes concerning non-property rights, if they may be the subject of a court settlement.

Exclusions - examples:

- family cases (such as divorce, separation, annulment of marriage, adoption)
- social security matters
- claims for the removal of inconsistencies between the legal status of real estate disclosed in the land and mortgage register and the actual legal status.

The most frequently chosen permanent arbitration courts in Poland:

- Court of Arbitration at the National Chamber of Commerce (KIG),
- Court of Arbitration at the Lewiatan Confederation,
- There are about 50 permanent arbitration courts in Poland. Parties may also submit a dispute to an hoc arbitration court. They are established on an ad hoc basis to resolve a specific dispute.

REMEDIES AT LAW

Appeal - against judgements of courts of I instance. Deadline is basically 2 weeks from the date of delivery of the judgment with the statement of reasons to the apellant

Complaint - against specified court's decisions. Deadline is 1 week from the date of delivery of the decision to the complainant

Cassation appeal - - to the Supreme Court in certain cases. A party may base a cassation appeal on the following grounds: (a) violation of substantive law through its incorrect interpretation or improper application and/or (b) violation of procedural rules, if such violation could have had a significant impact on the outcome of the case. Deadline is 2 months from the date of delivery of the judgment with reasons to the appellant.

Resumption of proceedings - an institution that allows a final court judgement to be overturned and the case to be re-examined. Case may generally be reopened in the following cases:

- if an unauthorized person participated in the composition of the court,
- if a judge who was disqualified by law adjudicated the case and the party could not request disqualification before the judgment became final,
- if the party did not have legal capacity or capacity to sue,
- the party was not properly represented,
- if, as a result of a violation of the law, the party was deprived of the ability to act,
- when the Constitutional Tribunal ruled that a normative act was inconsistent with the Constitution, a ratified international agreement, or the act on the basis of which the ruling was issued

- the judgment was based on a forged or altered document, the judgment was based on a criminal conviction that was subsequently overturned,
- the judgment was obtained by means of a crime.

Deadline – generally 3 months from the date on which the party became aware of the grounds for reopening the case, and where the grounds are deprivation of the ability to act or lack of proper representation – from the date on which the party, its body, or its legal representative became aware of the judgment. After 10 years from the date on which the judgment became final, no reopening may be requested, except where the party was deprived of the ability to act or was not properly represented.

Complaint regarding the unlawfulness of a final judgment - a complaint may be based on violations of substantive law or procedural rules that rendered the judgment unlawful, where the party suffered damage as a result of the judgment. However, the complaint may not be based on allegations concerning the determination of facts or the assessment of evidence. Deadline: 2 years from the date on which the contested judgment becomes final.

PROXY

Parties and their bodies may act before the court in person or by proxies. Proxies are as a rule: attorneys at-law and advocates.

Exceptions - some cases may allow, for example a patent attorney, a restructuring advisor, an estate administrator or a family member. They must have judicial capacity and the ability to act in litigation.

COURT COSTS

The fee is fixed, proportional, or basic.

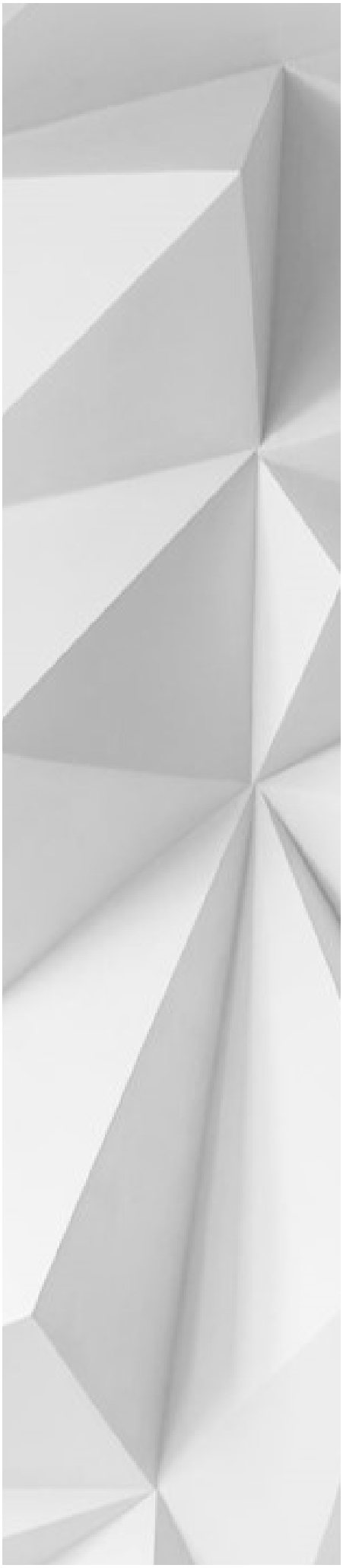
A fixed fee is charged in cases concerning non-property rights and in certain cases concerning property rights specified in the Act, in the same amount regardless of the value of the subject matter of the dispute or the value of the subject matter of the appeal. The fixed fee may not be lower than PLN 30 or higher than PLN 10,000. A fixed fee determined according to the value of the subject matter of the dispute or the subject matter of the appeal is charged:

- in cases concerning property rights, where the value of the subject matter of the dispute or the subject matter of the appeal is up to PLN 20,000, a fixed fee of up to PLN 1,000 is charged per document
- in cases concerning property rights, where the value of the subject of the dispute or the subject of the appeal exceeds PLN 20,000, a proportional fee of 5% of this value is charged for the document, but not more than PLN 100,000.

The basic fee is charged in cases where the regulations do not provide for a fixed, proportional, or temporary fee. The basic fee is PLN 30 and is the minimum fee that a party is required to pay for a document subject to a fee.

The temporary fee is set within the range of PLN 30 to PLN 2,000, and in cases pursued in class action proceedings, from PLN 300 to PLN 20,000. In the judgment concluding the proceedings at first instance, the court determines the amount of the final fee, which is either a proportional fee calculated on the basis of the value of the subject matter of the dispute determined in the course of the proceedings, or a fee determined by the court if this value could not be determined. In this case, the court shall determine the final fee in an amount not exceeding PLN 5,000, taking into account the social significance of the decision and the degree of complexity of the case.

The amount of individual fees in all types of civil cases is specified in the Act of July 28, 2005, on court costs in civil cases.



Andersen in Poland is a team of nearly 140 experts providing comprehensive legal, tax, compliance, and outsourcing services from offices in Warsaw, Katowice, Poznań, Toruń and Radom. Through cooperation with Andersen Global, we operate across 170+ markets, delivering globally integrated advisory for international and mid-cap businesses.

Andersen in Poland is a member firm of Andersen Global



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The Head of the Litigation and Arbitration Service Line for Andersen in Europe and a recognized expert in public-private partnertships, public procurement, litigation, arbitration, environmental law and municipal management. He represents clients before courts and arbitration tribunals (including ICC, FIDIC, ICSID and UNCITRAL), advises on complex investment processes, and leads Andersen's Competition and Public Procurement Team. He is also an author and speaker on PPP and municipal issues, a member of The Public Procurement Law Association, and an expert at The Forum of PPP Leaders.



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Legal adviser and graduate of the University of Warsaw, with postgraduate studies in tax law from the universtiy of Łódź. He specializes in court, arbitration and administrative proceedings, particulary in corporate law and the representation of public companies. He has acted in numerous high-profile disputes in Poland, including a landmark case involving the highest administrative fine ever imposed on a company, and has been recognized by Chambers & Partners, The Legal 500 and PLC Which Lawyer for his expertise in dispute resolution.



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She is a specialist in litigation and administrative proceedings, civil and corporate law, economical law, insurance law and legalization of residence and employment of foreigners. She represents clients in complex civil, administrative and criminal cases, including construction disputes, insurance claims and employment matters involving foreigners. She advises entrepreneurs, public benefit organizations and educational institutions, particularly in the technology, aviation and space sectors, and has experience in due diligence, broadband infrastructure projects, and legal matters related to employee support and insurance.



Agnieszka Skrok

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She is specializing in competition and antitrust law, as well as litigatio n and arbitration. Provides legal support in complex disputes and proceedings, and conducts training sessions and workshops for clients and professionals.

CIVIL PROCEDURE
PORTUGAL



COURTS & THEIR DIVISION

Three-tier system:
Supreme Court of Justice (STJ), Courts of Appeal, and first-instance courts.

First instance divided by value and subject matter:
- Local Civil Courts (Juízos Locais Cíveis) – civil cases up to €50.000.
- Central Civil Courts (Juízos Centrais Cíveis) – cases above €50.000.
- Specialized courts: Commercial (insolvency, company law), Family and Minors, Labour, Criminal, Enforcement, as well as nationwide courts for IP (Lisbon), Competition/Regulation (Santarém), and Maritime (Lisbon).

Appeals follow the hierarchy:
1st instance -> Court of Appeal -> Supreme Court of Justice.

Constitutional Court (Tribunal Constitucional): not part of the ordinary judiciary, but a separate court with exclusive jurisdiction over constitutional review.

STAGES OF THE PROCEDURE

- Filing of the claim: must set out facts, legal grounds, requests, value, and evidence.
- Service & defence: defendant is served and usually has 30 days to respond.
- Pre-trial stage: judge checks procedural issues, defines the scope, may hold a preliminary hearing; sometimes case may be decided immediately.
- Evidence phase: production of documents, witnesses, expert opinions, inspections.
- Final hearing: oral trial with evidence and closing arguments.
- Judgment: written decision, subject to appeal.

ARBITRATION

- Voluntary arbitration is governed by the Voluntary Arbitration Law (Law 63/2011).
- Admissible whenever the rights in dispute are disposable by the parties.
- Arbitral awards have the same effect as state court judgments and are directly enforceable.
- Awards are generally final; annulment is possible only on limited grounds (e.g. invalid arbitration agreement, breach of due process, excess of powers, or violation of public policy).
- Main arbitration centres include the Commercial Arbitration Centre of the Portuguese Chamber of Commerce and Industry, CAAD (tax and administrative matters), and Arbitrare (intellectual property, IT, domains).

REMEDIES AT LAW

Appeal (Apelação):

- To the Court of Appeal.
- Admissible if the case value exceeds €5,000 and the appellant's loss (sucumbência) exceeds €2,500.
- May review both facts and law.

Appeal to the Supreme Court (Revista):

- To the Supreme Court of Justice (STJ).
- Admissible if the case value is above €30,000 and the party's loss is above €15,000.
- Based only on points of law.
- Excluded when there is "double conformity" (first and second instance decisions are identical).

Exceptional review (Revista excecional):

- Even if the thresholds are not met, the STJ may hear the case if it raises an issue of major legal or social relevance (Art. 672 CPC).

Time limits:

- Generally 30 days from notification of the decision.
- 15 days in urgent cases or specific interlocutory appeals.

PROXY

- Representation by a lawyer is mandatory in all appeals and in cases where the claim value exceeds €5.000,00
- Parties may represent themselves in small claims (≤ €5,000).
- Solicitors (solicitadores) may act in specific proceedings allowed by law.

COURT COSTS

Court fees are regulated by the Court Costs Regulation (RCP) and depend on the value of the claim.

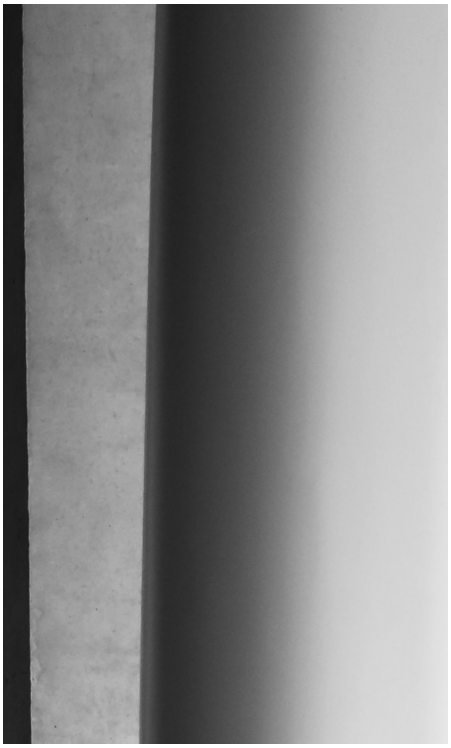
Examples (Table I RCP, first instance):

- Up to €2.000: €102
- €2.000 – €8.000: €204
- €8.000 – €16.000: €306
- €16.000 – €24.000: €408
- €24.000 – €30.000: €510
- Above €30.000 until € 275.000 between €612 and €1632 (with additional amounts – "remanescente" – in high-value cases).

Additional costs may Include expert fees, translation, notifications, enforcement expenses. General principle: the losing party bears the costs (Art. 527 CPC).



OTHER RELEVANT INFORMATION



- Electronic filing (Citius): All procedural acts by lawyers must be filed electronically on the Citius platform, with qualified e-signature. Notifications are also made electronically.
- Constitutional review: The Constitutional Court (Tribunal Constitucional) is not part of the ordinary judiciary but has exclusive jurisdiction over constitutional matters. Appeals may be lodged when (i) a court refuses to apply a rule for being unconstitutional, or (ii) applies a rule whose unconstitutionality was raised. The Court only reviews constitutionality, not the merits.
- Limitation periods: General limitation period of 20 years; many periodic claims (rents, interest, instalments) are subject to a 5-year limitation.

Andersen in Portugal was established in 2017 and has since developed into a multidisciplinary firm with a strong presence in the market. Today, it comprises 20 partners and over 50 professionals, operating from offices in Lisbon and Porto. The Lisbon office was significantly expanded with the inauguration of new headquarters in 2023, while the Porto office, opened in 2025, consolidated the firm's presence across the country's two main business centres.

Andersen in Portugal is a member firm of Andersen Global.



Filipa Alfaia Barata

Partner

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Legal experience assisting national and international private entities in litigation matters, in different business sectors, including energy, engineering, manufacturing industry, pharmaceuticals, insurance, transportation and finance. Considerable working experience in commercial, corporate, civil litigation and arbitration, labour litigation and insolvency. Always focused on the Client's needs, assuming a proactive, pragmatic and business approach oriented to the results. Team Management Skills, Delivery and Develop of New Clients Opportunities, Consultancy and Business Development.



Diogo Matos Oliveira

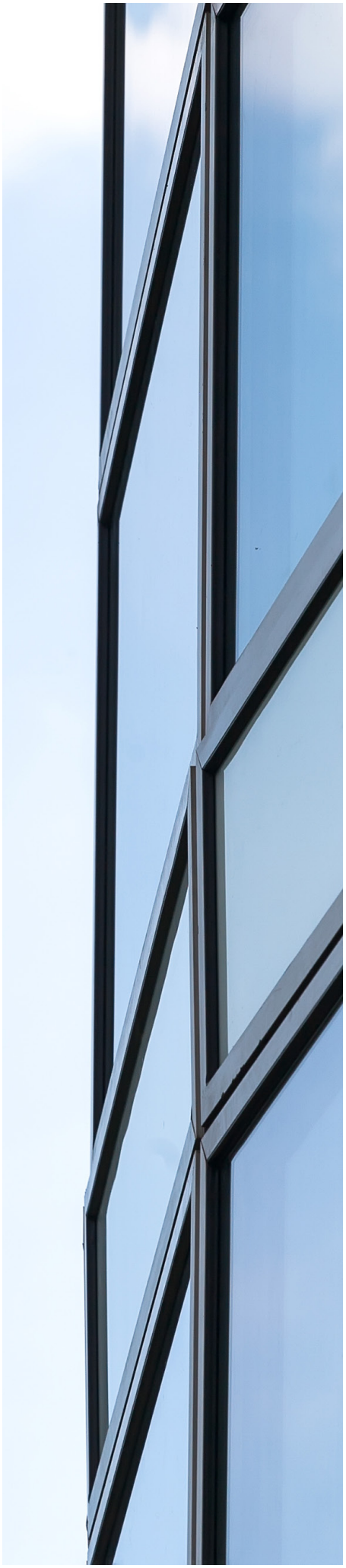
Partner

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Diogo is a lawyer with 20 years of experience in civil, contractual and commercial litigation, as well as debt recovery across key areas such as asset-based lending, secured and unsecured consumer and corporate lending, mortgage shortfall and B2B debt. His work also covers all aspects of distressed debt investment, non-performing loans (NPL), due diligence, financings and corporate restructurings. At the intersection of legal expertise and sector knowledge lies a commitment to tailor-made solutions that secure clients' position and create lasting value.

CIVIL PROCEDURE

ROMANIA



COURTS & THEIR DIVISION

Instance division

- Local Courts - Jurisdiction over lower value cases (below 200,000 RON, i.e., approx. 40,000 EUR), cases expressly provided by law as falling with in their jurisdiction, such as family law cases, property disputes, and requests concerning registrations in civil status records
- Tribunals - jurisdiction to adjudicate all claims that are not expressly assigned by law to other courts; appeals against decisions rendered by local courts in first instance proceedings; final appeals filed against decisions of local courts that are not subject to ordinary appeal, other cases expressly provided by law.
- Court of Appeals - Administrative and fiscal disputes, in accordance with the rules set forth in special laws; acting as appellate courts, they have generał jurisdiction to hear appeals against decisions issued by tribunals. They also adjudicate finał appeals (recursuri) against decisions rendered by tribunals in appellate proceedings, as well as against tribunal decisions delivered in first instance that are not subject to ordinary appeal, and in other cases expressly provided by law.
- The High Court of Cassation and Justice - Appeals filed against decisions rendered by the courts of appeal, appeals in other cases explicitly provided by law, appeals in the interest of the law, requests for the issuance of preliminary rulings to resolve legal issues, and other matters assigned to its jurisdiction by law.

STAGES OF THE PROCEDURE

- Statement of claim - Required elements include parties, object of the claim, value in dispute, factual and legal grounds on which the claim is based, evidence
- Preliminary examination of the claim - The court reviews the claim for comprehensibility, completness and the court's jurisdiction
- Statement of defense and counterclaim - Includes the presentation of defendant's position and its counterclaims, il any.
- Taking of evidence - If necessary, e.g. witnesses, documents or expert opinions
- Hearings - Presentation of arguments on the merits of the case and evidence
- Judgment
- Appeal - May be lodged within 30 days from the communication of the first judgment, unless otherwise provided by law, for certain types of disputes

ARBITRATION

Admissable in almost all civil cases

Disputes concerning civil status, the legal capacity of individuals, inheritance proceedings, family relations, or rights that cannot be freely disposed of by the parties.

The most frequently chosen permanent arbitration court is the Court of International Commercial Arbitration of the Chamber of Commerce and Industry of Romania.

REMEDIES AT LAW

Appeal - Ordinary legal remedy by which a new substantive examination of the case is initiated In addition to this ordinary remedy, the Romanian legal system has also regulated three extraordinary.

Extraordinary Remedies

- The final appeal (recurs)
- The annulment complaint (contestatie in anulare)
- The revision (revizuire)

PROXY

Parties and their bodies or legal representatives may act before the court in person or by proxies.

COURT COSTS

Court costs include:

- Judicial stamp duties,
- Stamp fees,
- Attorneys' fees,
- Expert and specialist fees,
- Amounts owed to witnesses for travel and other related expenses, including the costs for attending the trial, transportation, and when applicable, accommodation expenses,
- Any other costs necessary for the proper conduct of the proceedings

Claimants are required to pay the court taxes in advance, depending on the value of the subject matter of the dispute or the type of claim.

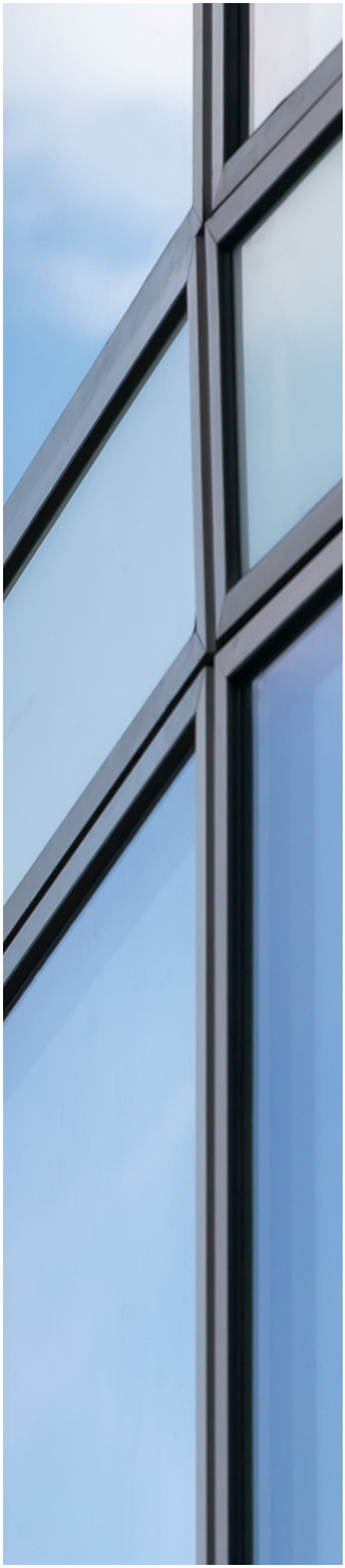
The court tax is generally calculated based on the value of the claim, in accordance with the applicable rules established by special laws, taking into account a percentage of the value of the subject matter of the claim. The losing party covers in principle the courts incurred by the successful party, generally based in the costs follow the event" principle.

OTHER RELEVANT INFORMATION

The Romanian legal system also regulates certain special procedures, with rules that derogate from common law, for example in matters such as divorce, the declaration of death, judicial partition, possession claims and others.

Țuca Zbârcea & Asociații is a major player in the Romanian legal services market. The firm is active in some of the most spectacular practice areas in legal consultancy. We enjoy our current success because every partner's performance and abilities are judiciously employed, offering clients a leading edge in a highly competitive field.

Țuca Zbârcea & Asociații in Romania is collaborating firm of Andersen Global





Ionuț Șerban

Partner

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Ionuț Șerban is a Partner in the litigation and arbitration practice group at Țuca Zbârcea & Asociații. He has appeared before Romanian courts at all levels, domestic and international courts of arbitration in complex civil law, corporate and commercial, contentious-administrative, fiscal and public procurement disputes, complex bankruptcy and reorganization proceedings, as well forced execution and debt recovery measures. Ionuț Șerban has a strong track record in representing local and multinational companies, credit institutions, non-banking financial institutions, governmental institutions and bodies of the local and central public administration system, as well as renowned public figures.



Irina Răileanu

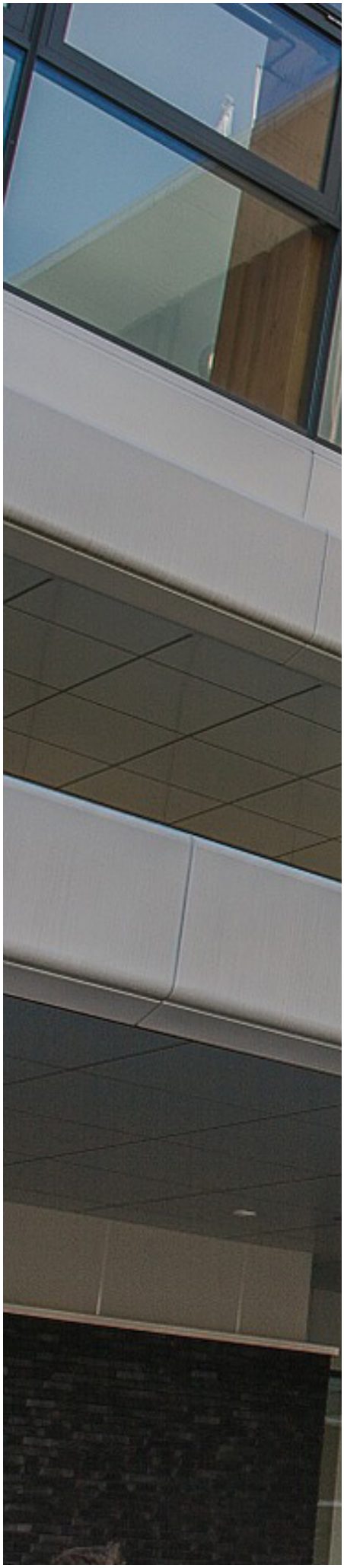
Managing Associate

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Irina Răileanu acts as a Managing Associate within the firm's Litigation and Arbitration team. She has a wealth of experience as a pleading lawyer, having handled contentious matters in various areas of practice and has represented clients at all levels of the judicial system. Irina covers civil and commercial litigation, administrative disputes (including public procurement procedures). In addition, she has been involved in labour, fiscal, construction litigation matters, as well as in intellectual property cases.



CIVIL PROCEDURE
SLOVAKIA



COURTS & THEIR DIVISION

District courts / City courts:

- These are general courts of first instance, which are intended to hear all disputes at first instance, unless specific jurisdiction is determined by the nature or subject matter of the dispute.
- Some types of disputes are covered only by few courts (or one court) for the whole Slovakia - for example corporate disputes, promissory note and cheque disputes, employment disputes, industrial property disputes, unfair competition and copyright disputes, arbitration disputed, disputes under public procurement contracts, family disputes.

Regional courts:

- Regional Courts are divided according to municipalities or area of competence and hear appeals from District Courts/City Courts.
- They also act as first-instance courts for selected types of disputes (e.g. disputes related to abstract control in consumer matters).

Supreme Court of the Slovak Republic:

- Appeals against Regional Court judgments (in case that they act as courts of first instance) and hears cassation appeals.

Constitutional Court of the Slovak Republic:

- It is not a court of general jurisdiction, but is a court of judicial power safeguarding constitutionality and adjudicating on complaints of natural persons or legal persons if they are pleading the infringement of their fundamental rights or freedoms, even in the civil procedures.

STAGES OF THE PROCEDURE

- Filing a lawsuit – filing the lawsuit before relevant court (and pay the court fee, if applicable)
- Response to the lawsuit – defendant is obliged to reply within the set time limit and present their position and evidence
- Further statements of the parties to the submissions – both parties are obliged/entitled to object the statements and evidence of the other party and provide related evidence
- Preliminary hearing of the lawsuit (used occasionally by courts although according to the law it is a mandatory procedural procedure) – checking whether the procedural conditions are met, taking measures to eliminate the identified deficiencies, attempting to resolve the dispute amicably, determining by the court which factual allegations are disputed between the parties, which factual allegations it considers undisputed, which evidence it will take and which evidence it will not take; the court should also state its preliminary legal assessment of the case and the expected date of the hearing
- Hearing – oral proceedings before the court, during which the court takes evidence, such as witness examination, expert opinions, and other means of proof
- Judgment – court issues a written decision, subject to appeal; possibility of appeal within 15 days from delivery of the decision

ARBITRATION

- arbitration may be used in all disputes concerning legal relationships in respect of which a settlement agreement may be concluded, including disputes concerning the determination of whether or not a right or legal relationship exists
- arbitration cannot resolve some disputes expressly mentioned in laws (for example – disputes concerning personal status, relating to the forced execution of decisions, decisions concerning the establishment, modification or extinction of ownership and other rights in rem in respect of immovable property)
- common institutions: Arbitration Court of the Slovak Chamber of Commerce and Industry
- arbitration is allowed by agreement of parties (i.e. must be based on a valid arbitration clause or agreement)

REMEDIES AT LAW

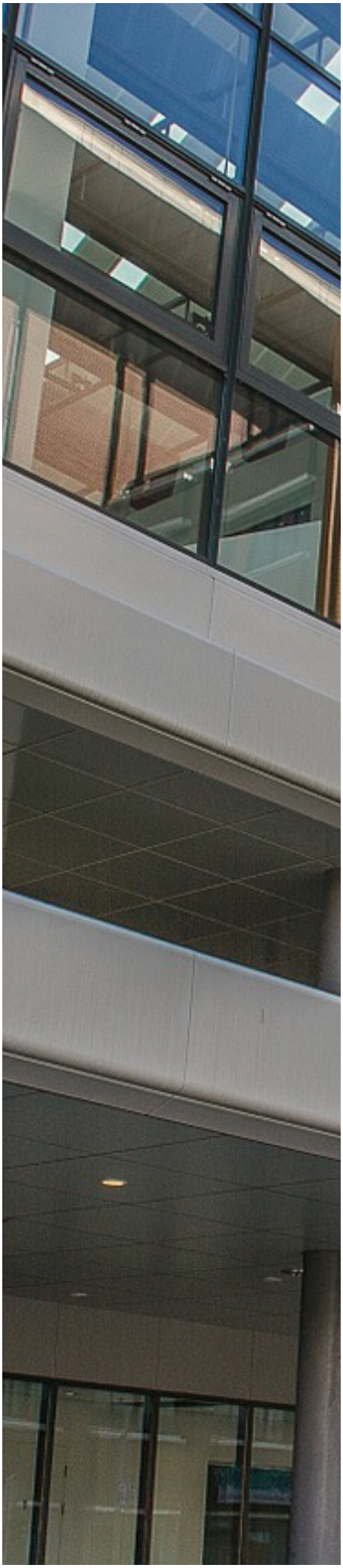
- Appeal: filed within 15 days from delivery of judgment
- Complaint: available against court decisions not subject to appeal (for example decision on costs)
- Cassation appeal: to the Supreme Court for legal errors in appellate decisions
- Appeal of the Prosecutor General - An appeal by the Prosecutor General against a final court decision is admissible if the protection of rights so requires and this protection cannot be achieved by other legal means at the time the Prosecutor General's appeal is filed (very limited application).
- Resumption of proceedings: Allowed if new evidence or serious procedural violations emerge.
- Constitutional complaint - A way for a natural or legal person to challenge a violation of their fundamental rights or freedoms by public authorities, particularly the courts; It is submitted to the Constitutional Court of the Slovak Republic after all other remedies have been exhausted; must be filed within two months of the contested decision being delivered.

PROXY

Parties may act in person or be represented (the representative does not have to be a lawyer/attorney or have a legal education), but in some specifically regulated cases by law the representation by attorney is mandatory (for example in disputes arising from or related to bankruptcy, restructuring, public preventive restructuring or non-public preventive restructuring, in disputes relating to the protection of competition, in disputes relating to unfair competition, in disputes relating to the threat or infringement of the right to trade secrets and in disputes relating to the protection of intellectual property rights and also before the Supreme Court).

COURT COSTS

- calculated based on the value of the dispute
- standard court fee: 6% of the value of the claim (subject to minimums/maximums)
- fixed fees for specific procedures (e.g. divorce)
- additional costs: translation, expert opinions, copies
- losing party generally pays the costs (based on the tariffs provided by related orders of the Ministry of Justice)



Law office CLS Čavojský & Partners, collaborating firm of Andersen Global in Slovakia, has been operating in the legal services market since 2006. From the very beginning we have provided advice based on the principle of „Common Legal Sense". Our priority is to provide tailored solutions that are practical and applicable, and meet the individual needs of each client. We provide legal services mainly in these areas of law: corporate, labor and employment, banking and insurance, competition, insolvency, real estate and construction, and intellectual property.

CLS Čavojský & Partners in Slovakia is collaborating firm of Andersen Global



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Partner, Attorney at law

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Vladimír graduated from the Faculty of Law at the Pavol Jozef Šafárik University in Košice and has many years of experience in legal consultancy. He specializes in Labor Law, Administrative Law, Regulation, Litigation and Personal Data Protection. His practice focuses especially on the manufacturing, IT, gaming and retail sectors. He is also involved in publishing and training activities.



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Kristina is a graduate of the Bratislava College of Law. She has been part of the team since 2018. For more than 10 years, she has been dealing with issues of liability for damage, and for the last 7 years she has been focusing on Insurance Law. Kristina has extensive and long-standing experience in litigation, which she has been involved in since the beginning of her professional career in law.



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Andrea started her professional career with CLS Čavojský & Partners in 2016 as a registered legal trainee. She passed her Bar Exams in 2017 and became licensed attorney. Andrea is a Senior Associate and her practice focuses primarily on Commercial Law, Real Estate Litigation and Regulatory.





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Zuzana's practice focuses primarily on Corporate, M&A, Litigation and Labor Law. She has extensive experience in the Corporate and M&A Area. She is involved in various projects in the area of real estate and development and she is directly responsible for the corporate agenda of clients. Zuzana also participates in the team representing an international insurance company in litigation cases.



Terézia Kyselicová

Junior Associate, Attorney at law

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Terézia started her professional career as a legal assistant during her studies at Comenius University. In 2023 she started working as a Junior Associate. Her practice focuses primarily on Corporate, M&A, Litigation, Labor Law and Immigration Law. As a member of the team, she is also involved in various projects in the area of real estate. She represents an international insurance company in litigation.



CIVIL PROCEDURE

SPAIN



COURTS & THEIR DIVISION

First instance: Juzgados de Primera Instancia (general civil, real estate, contractual) and Juzgados de lo Mercantil (corporate and commercial matters, including insolvency and many IP/competition cases). Some provinces have specialised family or financial sections. Appeals from these courts are subject to the Audiencias Provinciales (civil sections).

Second instance: Audiencias Provinciales (Secciones Civiles) hear appeals (apelación) from first-instance courts.

Autonomous Community level: Tribunal Superior de Justicia (Sala de lo Civil y Penal) handles certain matters, including support/control of arbitration (e.g., appointment/removal of arbitrators, set-aside actions, and recognition of foreign awards) when seated in the respective region and certain aspects of regional law.

Supreme Court: Tribunal Supremo (Sala Primera – Civil) hears cassation appeals (casación) on substantive and certain procedural issues.

STAGES OF THE PROCEDURE

- Ordinary proceedings (juicio ordinario): before Courts of First Instance (Juzgado de Primera Instancia) or the Commercial Court (Juzgado de lo Mercantil in commercial or corporate matters). Typically used for claims over EUR 15,000 or those expressly reserved to this kind of proceeding. Main steps: claim (demanda); admission and service; defence (contestación – 20 working days); pre-trial hearing (audiencia previa) to address procedural issues, define the matters in dispute and request evidence; trial (juicio) with practice of evidence and closing submissions; judgment (sentencia).
- Verbal proceedings (juicio verbal): – before the Civil Court of First Instance (Juzgado de Primera Instancia). Generally used for claims up to EUR 15,000 and certain specific matters. The defence is usually presented orally at the hearing (vista), although in some cases the court may require a prior written defence within 10 working days. In claims not exceeding EUR 2,000, parties may appear without abogado or procurador.

Interim measures & evid

- Precautionary measures (medidas cautelares) – before the court competent to hear the main proceedings (Juzgado de Primera Instancia or, in commercial matters, Juzgado de lo Mercantil). They may be requested before or during the proceedings, provided that the requirements of fumus boni iuris (prima facie case), periculum in mora (risk of irreparable harm) and proportionality are met.
- Preliminary steps (diligencias preliminares) and early taking or preservation of evidence (anticipación/aseguramiento de la prueba) – before the court competent for the underlying dispute. These mechanisms allow a party to obtain certain information or secure necesary evidence in advance of the main proceedings, subject to judicial authorization.

Special procedures

- Order for payment procedure (procedimiento monitorio) – before the Court of First Instance (Juzgado de Primera Instancia). It applies to liquid, due and payable debts evidenced in writing. If the debtor does not oppose within 20 working days, the court will issue an enforcement order and the claim beco-

mes directly enforceable.

- Costs: the general rule is costs follow the event (condena en costas) with judicial discretion in cases of serious doubt. Recoverable items typically include lawyers and procuradores fees (within court-approved scales), experts, and court expenses.
- Court fees: Natural persons are exempt from the contentious civil court fees since 2015; legal persons may be subject to fees per Ley 10/2012 as interpreted by the Constitutional Court. Eligibility for legal aid (asistencia jurídica gratuita) may further exempt or defer payment.

ARBITRATION

Main statute: Ley 60/2003, de Arbitraje (as amended). Based on the UNCITRAL Model Law. Arbitration agreement must be in writing; separability and kompetenz-kompetenz recognised.

Tribunal support & control: limited to cases provided by law.

Competent courts: High Court of Justice of the Autonomous Community (Tribunal Superior de Justicia, Sala de lo Civil y Penal) for appointment/removal of arbitrators and set-aside actions; recognition (exequátur) of foreign awards. Court of First Instance (Juzgado de Primera Instancia) for assistance in evidence and for enforcement of awards; enforcement of foreign awards.

Measures and enforcement: courts may grant interim measures in support of arbitration; awards are immediately enforceable, subject to possible suspension upon security if a set-aside action is filed.

Institutions (non-exhaustive): Centro Internacional de Arbitraje de Madrid (CIAM), Corte de Arbitraje de Madrid (Cámara de Madrid), Corte Española de Arbitraje (Cámara de España), Corte Civil y Mercantil de Arbitraje (CIMA), Tribunal Arbitral de Barcelona (TAB).

REMEDIES AT LAW

Reconsideration (reposición) before the same court or judge that issued the order or decree; available against non-final judicial decisions. Filing period: 5 days – 5 days;

Direct Review (revisión) before the judge of the same court; available against certain decrees issued by Court Clerks (Letrados de la Administración de Justicia). Filing period: 5 days.

Appeal (apelación) before the Provincial Court (Audiencia Provincial) – must be filed within 20 working days from notification of the judgment; it allows a full review of the case within the grounds raised, with only limited admission of new evidence.

Cassation appeal (casación) before the Supreme Court (Tribunal Supremo), or in matters of regional or special civil law of the Autonomous Community, before the High Court of Justice (Tribunal Superior de Justicia). It is available against second-instance judgments if legal thresholds are met and there is "cassational interest" (interés casacional). Grounds include infringement of substantive or procedural rules.

Other extraordinary remedies:
Revision (revisión) before the Supreme Court (Tribunal Supremo), or in matters of regional or special civil law, before the High Court of Justice (Tribunal Superior de Justicia). It allows the reopening of final judgments in exceptional cases (e.g., fraud, falsity of evidence, discovery of decisive documents).

Constitutional appeal (recurso de amparo) before the Constitutional Court (Tribunal Constitucional) – an exceptional remedy available only once all ordinary judicial remedies have been exhausted, limited to alleged violations of fundamental rights under the Spanish Constitution.



PROXY

Court representative (procurador): generally mandatory in civil or commercial proceedings before the Courts of First Instance (Juzgado de Primera Instancia) and higher courts. Exceptions apply in low-value proceedings and certain special procedures. Powers of Attorney may be granted apud acta through the electronic Judicial Power of Attorney Register (Apoderamiento Judicial) or by notarial power of attorney (poder para pleitos).

Legal counsel (abogado): representation by a lawyer is generally required above certain thresholds and in most contentious proceedings. The abogado is responsible for the legal strategy and technical defence of the client.

COURT COSTS

- Costs: the general rule is costs follow the event (condena en costas) with judicial discretion in cases of serious doubt. Recoverable items typically include lawyers and procuradores fees (within court-approved scales), experts, and court expenses.

- Court fees: Natural persons are exempt from the contentious civil court fees since 2015; legal persons may be subject to fees per Ley 10/2012 as interpreted by the Constitutional Court. Eligibility for legal aid (asistencia jurídica gratuita) may further exempt or defer payment.

OTHER RELEVANT INFORMATION

- Language: proceedings are in Spanish; co-official languages may be used regionally per LOPJ and procedural rules.
- Service and e-filing: electronic filing and notifications are standard for legal professionals; deadlines generally run in business days unless otherwise stated.
- Evidence: documentary evidence should be filed with the claim/defence; late evidence is tightly controlled.
- Enforcement: Spanish courts generally enforce EU and foreign judgments and arbitral awards in line with EU Regulations and the New York Convention.

Andersen in Spain was established in 2017, marking the launch of the Andersen brand in the Spanish market. Since then, the firm has grown steadily and now brings together more than 90 partners and over 260 professionals. With offices in Madrid, Barcelona, Valencia, Seville, Bilbao, and Málaga, it provides integrated legal, tax, and corporate finance services, combining local expertise with the global reach of Andersen Global.

Andersen in Spain is a member firm of Andersen Global





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Partner

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Benjamín has extensive experience in Corporate Law, having participated in complex banking products acting as a civil and corporate mediator. Benjamín is also a specialist in civil and criminal procedural law, and has been involved in all types of civil and criminal lawsuits, and urging many bankruptcy proceedings. He also has extensive experience in the public sector, in which he has represented numerous municipal corporations and local authorities in different criminal proceedings.

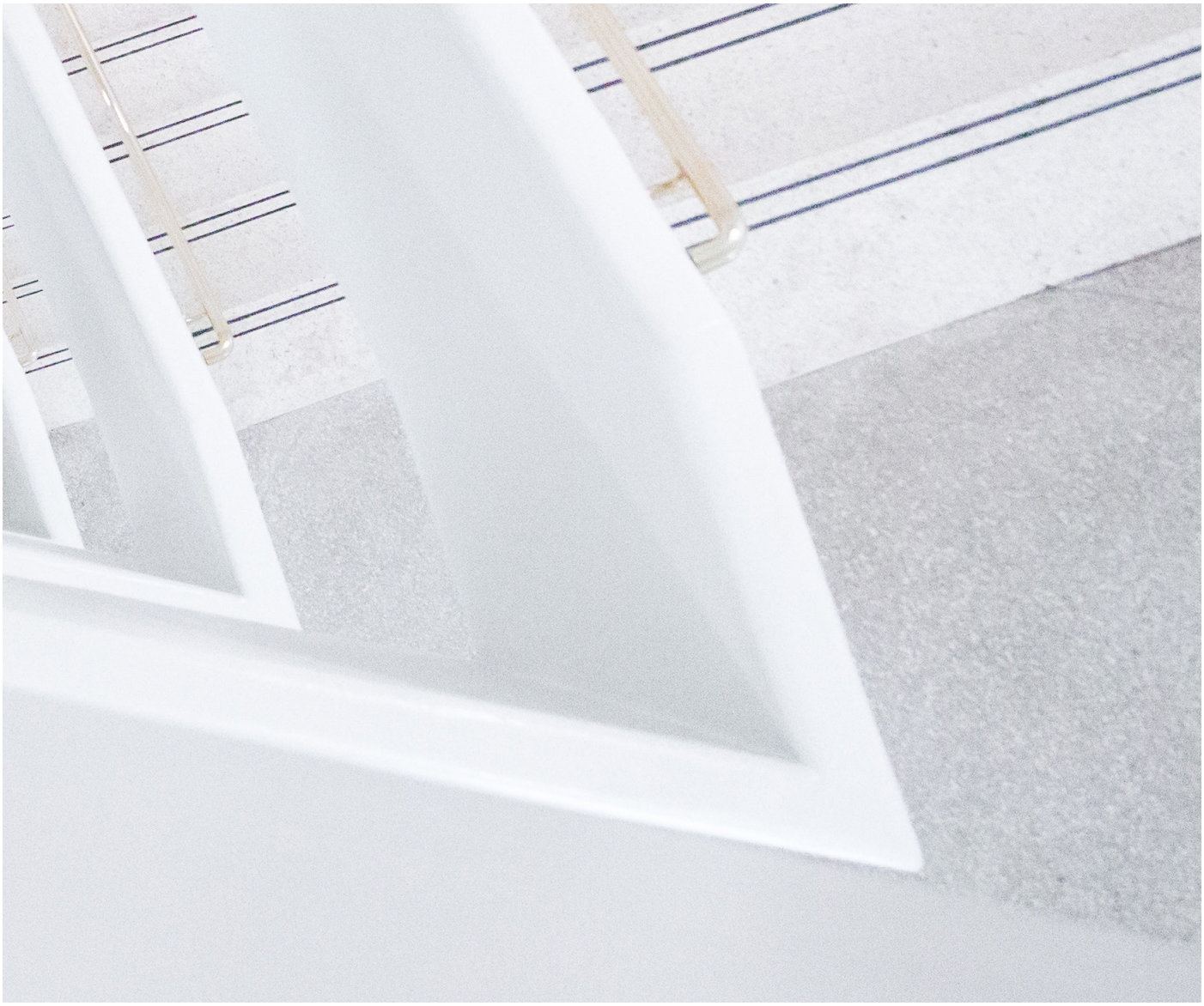


Luis Cortezo Dolagaray

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He specializes in the technical management of all types of commercial and civil litigation, including legal proceedings in corporate matters (contesting corporate resolutions, liability of directors and compliance with shareholder agreements), litigation in the field of construction and real estate law, in matters of obligations and contracts, unfair competition, etc. He also has extensive experience in procedures for the enforcement of judicial and extrajudicial titles, including processes for the recognition and enforcement of foreign titles in Spain.



CIVIL PROCEDURE
SWEDEN



COURTS & THEIR DIVISION

District Courts:
- General courts acting as first instance for most commercial and civil disputes (as well as for family law and criminal law) regardless of complexity or value. Specialist courts exist for certain employment cases as well as IP/marketing law.

Courts of Appeal:
- Second instance for most commercial and civil disputes assuming leave to appeal has been granted. Competence is decided on a regional basis.

Supreme Court:
- Final instance for commercial and other civil cases. More limited options to be granted leave to appeal.

STAGES OF THE PROCEDURE

The Swedish civil law procedure in most cases follow the same structure, set out in the Swedish Code of Judicial Procedure.

- Initiation. Filing a lawsuit with a specified claim to the relevant court, which is subsequently served on the respondent.
- Written proceedings. The defendant is requested to respond to the lawsuit within a time limit decided by the court
- Subsequent process. Additional correspondence in writing between the parties before the court if deemed necessary.
- First appearance. Preparatory hearing where the parties meet in the court together with a judge to examine and sort out ambiguities or uncertainties regarding the circumstances. The court will typically set the procedural schedule for the remainder of the process. Finally, settlement negotiations are held at the same hearing.
- Final briefs. The parties submit their final statements of evidence, listing which evidence (written or oral) is relied on and which facts each piece of evidence is intended to prove.
- Main hearing. Assuming that the parties have not reached a settlement, the case goes to trial at the main hearing where all written evidence is presented and all oral evidence is heard.
- Ruling. A judgment is delivered following the main hearing.
- Appeal. The judgment of the District Court can be appealed within three weeks.

ARBITRATION

Disputing parties have the option to choose between ad hoc arbitration and institutional arbitration, such as that administered by the Stockholm Chamber of Commerce (SCC). The latter option is by far the most common in Swedish commercial contracts. The SCC offers several different proceedings and types of arbitration, such as simplified arbitration, emergency arbitration and mediation. Sweden and the SCC have for many years been an internationally recognized and highly valued seat of arbitration for cross-border disputes around the world.

REMEDIES AT LAW

An appeal of a judgement or decision must normally be made within three weeks of the District Court´s decision. In many cases, including all commercial and civil law cases, a leave to appeal is required for the Court of Appeal to try the case.

An appeal for correction can be made in cases of missspellings or other obvious mistakes in the judgement, if it affects the complaining party in a negative way. The District Court can correct it's own judgement in these cases.

Extraordinary remedies can be used in certain specific situations where a court has committed a gross error when handling the case. Such an application is tried by the Court of Appeal if the error has been committed by a District Court, and by the Supreme Court if the error has been committed by the Court of Appeal.

PROXY

Parties in may act in person or be represented by counsel. The counsel does not have to be an attorney, except for certain assignments where the counsel is appointed by the court, such as public defenders or bankruptcy trustee. The court may at its one discretion dismiss counsel that are deemed unqualified for the task.

COURT COSTS

The application fee for most disputes is 2 800 SEK (for low value disputes the fee is 900 SEK). No other costs are paid to the courts.

The main rule in Swedish law is that the losing party pays all the winning party's fair legal costs.

In arbitration the costs are calculated according to the pricelists of the arbitration institute, usually determined proportionally to the value of the dispute.

OTHER RELEVANT INFORMATION

The Swedish legal system is, together with its Nordic counterparts, considered to be a combination of common law and civil law.

The dispute resolution team at Hellström works with a wide range of clients, ranging from private persons, small businesses and larger companies, as well as public clients such as municipalities. The dispute resolution team handles all kinds of domestic and international disputes, in the Swedish court system as well as in arbitration, mainly institutional proceedings before the SCC.

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Jonas Wetterfors

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Jonas Wetterfors is the head of Hellström's dispute resolution practice group. He specializes in commercial disputes and has represented clients in a large number of Swedish and international civil and arbitral proceedings. Jonas has considerable litigation experience, as well as experience in ad hoc arbitration and proceedings governed by the rules of the SCC, the ICC and the UNCITRAL arbitration rules. His expertise covers a broad range of industry sectors, including disputes in the financial services, energy, IT, manufacturing sectors, as well as M&A related disputes. In addition to undertaking assignments in commercial disputes, Jonas also frequently performs transactional and M&A work for his clients.



Georgios Eleftheriadis

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Georgios specializes in matters relating to dispute resolution and arbitration, with a particular emphasis on construction law. He has several years of experience working at the District Court in Stockholm, where he gained extensive knowledge in various types of litigation and dispute resolution processes. Georgios has successfully assisted in everything from minor disputes to major international arbitration proceedings. He is a member of the Swedish Bar Association since 2023.



Dennis Engman

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Dennis specializes in construction law, dispute resolution, and court and arbitration proceedings. He also has in-depth knowledge in the fields of debt enforcement law and debt relief. Dennis has previous experience in the judiciary as a law clerk, and as a case officer at a government agency, giving him extensive insight into complex legal matters and case proceedings. He is a member of the Swedish Bar Association since 2023.



CIVIL PROCEDURE
SWITZERLAND



COURTS & THEIR DIVISION

Swiss Code of Civil Procedure (SCCP):
- The organization of the courts and conciliation authorities is determined by cantonal law, within the framework set out by the SCCP (Art. 3 et seq.). Example: GOG Zürich.

Conciliation Authority:
- Conciliation is mandatory in most cases.
- Exceptions (examples): summary proceedings, certain family law matters, cases heard directly by a single-instance cantonal or commercial court, and some enforcement-related matters.
- Cantonal law governs the structure of conciliation authorities (e.g., courts, justices of peace, or specialized administrative bodies).
- Alternative: Mediation is possible but rarely used.

District court - first instance cantonal court:
- Serves as the main trial court at the cantonal level. In larger cantons, there are several courts of first instance; in smaller, rural cantons, there is usually just one. Composition depends on dispute value:
- Single-judge court: for claims below CHF 30,000
- Panel of judges: for claims exceeding CHF 30,000
- Specialized courts include:
  - labor court
  - Specialized landlord/tenant courts.

High court:
- Appellate court
- First instance court
  Subject-matter jurisdiction in matters according to Articles 5-8 SCCP
  - Commercial Courts (Zürich, Bern, St. Gallen, Aargau)
  - Civil chambers as first-instance court

Swiss Federal Supreme Court:
- Switzerland's highest judicial authority. Proceedings before the Federal Supreme Court are governed not by the SCCP, but by the Federal Supreme Court Act (SFTA).

STAGES OF THE PROCEDURE

Swiss civil procedure provides for three types of proceedings under the SCCP:
- Ordinary proceedings (Art. 219-242): for disputes exceeding CHF 30,000 or of undefined value; formal, predominantly written; high party responsibility.
- Simplified proceedings (Art. 243-247): for claims up to CHF 30,000 or certain matters (e.g., tenancy, employment); less formal, with more oral advocacy and judicial involvement.
- Summary proceedings (Art. 248-270): for urgent or exceptional cases (e.g., interim measures); limited evidence, mainly documentary, unless further evidence is essential and non-delaying.

Each type of proceeding typically consists of three main stages:
- Assertion stage. Parties must plead all relevant facts, submit documentary evidence, and indicate any additional evidence on which they rely.

- Evidentiary stage. The court determines which contested facts require proof and allocates the burden accordingly. Evidence is then taken, typically in a separate hearing.
- Post-evidentiary stage. Parties may comment on the evidence taken before the court issues its judgment.

ARBITRATION

Domestic arbitration is governed by Art. 353-389 SCCP, unless the parties opt for the Swiss Private International Law Act (PILA). International arbitration is subject to Art. 176-194 PILA and applies where at least one party is domiciled abroad. The parties may elect to apply the SCCP regime instead.

REMEDIES AT LAW

Under the SCCP, three primary remedies are available at the cantonal level: appeal, objection, and revision. Final cantonal decisions may be subject to further review by the Swiss Federal Supreme Court pursuant to the SFTA.

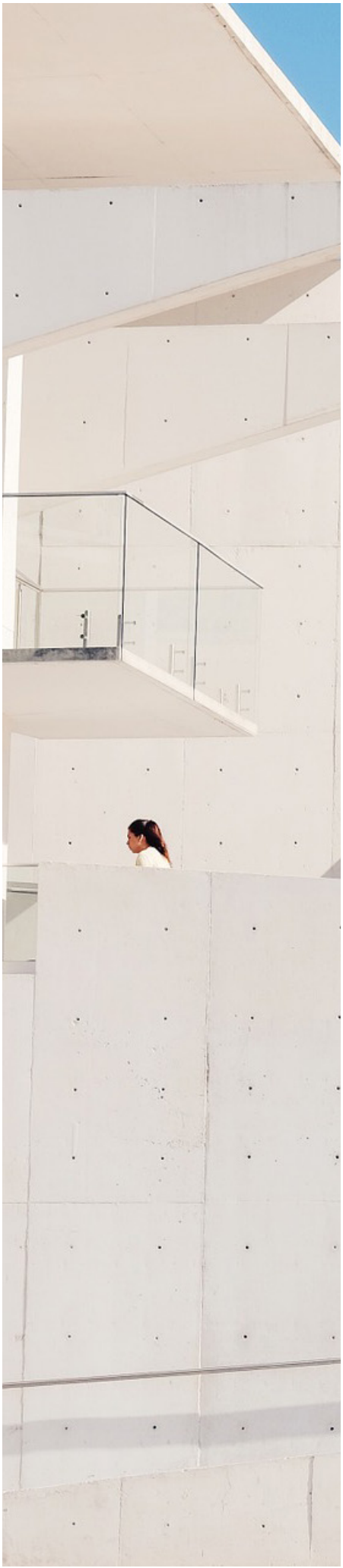
- Appeal: Permissible against final and certain interim or provisional decisions rendered at first instance, provided the value in dispute is at least CHF 10,000. The appeal must be filed within 30 days of notification (or 10 days in summary proceedings).
- Objection: Subsidiary remedy where appeal is inadmissible. Deadlines mirror those for appeal. Objections generally lack suspensive effect.
- Revision: May be sought within 90 days of discovering new facts or procedural violations. The absolute time limit is 10 years, unless a criminal offense has tainted the judgment, in which case no limitation period applies.
- Appeal to the Swiss Federal Supreme Court: Permitted once cantonal remedies are exhausted, if the dispute value exceeds CHF 30,000, and only for alleged violations of federal law or constitutional rights.

PROXY

In civil proceedings in Switzerland, legal representation is not mandatory. Parties may appear pro se, including before the Federal Supreme Court. However, if a party is manifestly unable to conduct their case, the court may require the appointment of counsel or designate one at the party's expense. Professional legal representation is limited to licensed attorneys admitted to a cantonal bar. In specific proceedings – such as summary proceedings or conciliation – representation by non-lawyers may be permitted.

COURT COSTS

Procedural costs in Swiss civil proceedings include court costs (e.g., conciliation, judgments, evidence) and party costs (e.g., legal fees). Each canton sets its own fee schedule, and claimants must usually advance court costs at the outset. Costs are allocated in the final judgment. The losing party generally bears all costs („costs follow the event"). In case of partial success, costs are apportioned accordingly. In pecuniary disputes, fees are based on the amount in controversy, though factors such as complexity and judicial workload may also be considered.



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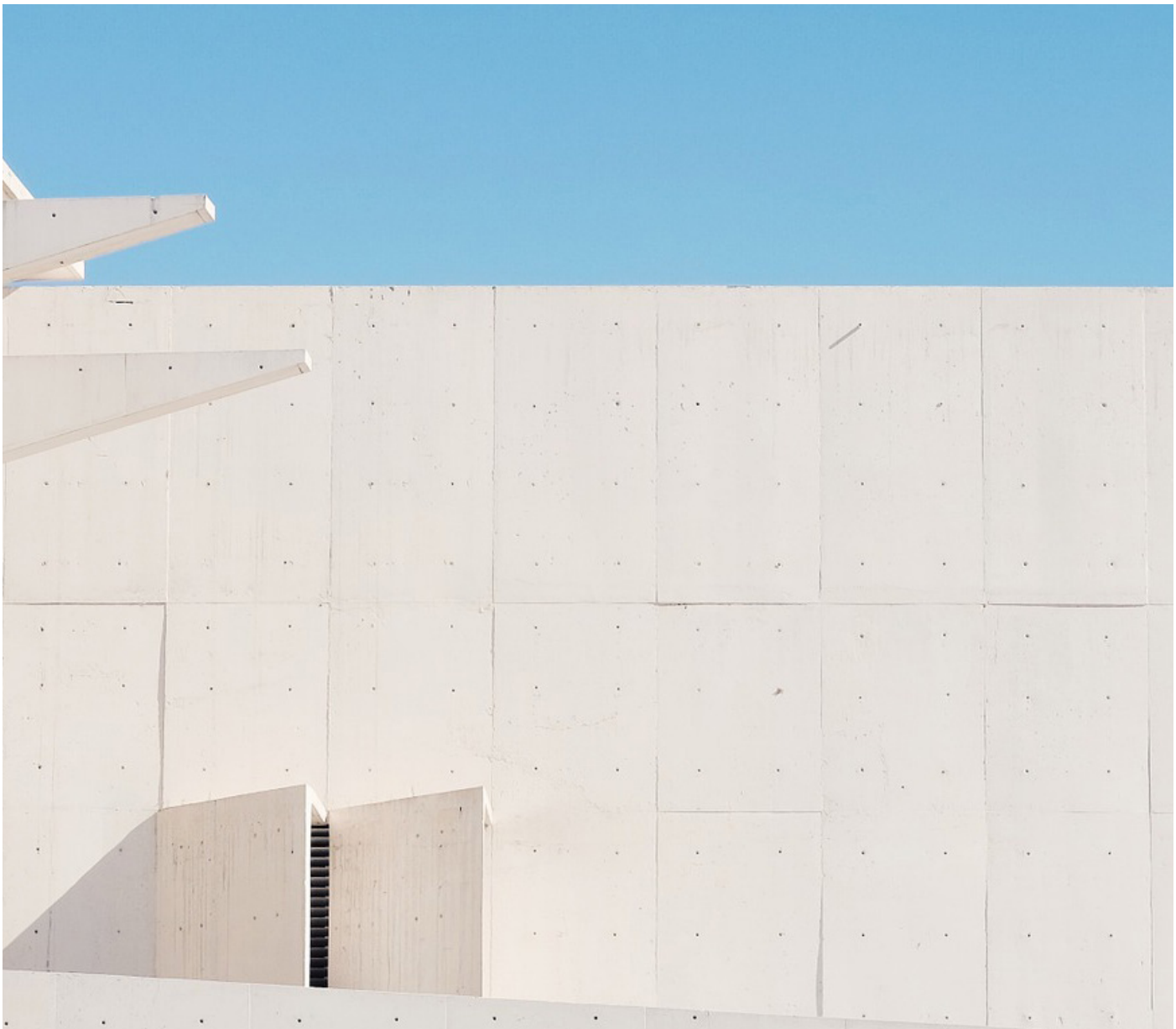


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