

Introducing a New Regulation on Court Fees

Description

By DMLF Team



The Federal Supreme Court has introduced a **draft** new regulation for discussion on court fees. Ethiopia has been using Legal Notice 1945 E.C as the court fee structure up to now. The Federal Supreme Court is suggesting it is timely to upgrade and update on court fees. Therefore the court floated for discussion the new draft Federal Courts Court Fee Structure Regulation. Access to justice has to be the core issue. The higher the court fee, the higher the probability that clients both individuals and companies, may lay down claims or legal actions due to significant fees they will be required to pay. The trend for example in Ras Al Khaimah, Dubai and Abu Dhabi has been to establish a cap for all civil and commercial claims. First the court fees are usually calculated based on a percentage of the claim amount in the statement of claim. Then once the claim amount exceeds a specific amount, the court fee is usually capped to a maximum amount regardless of the percentage value. For example the UAE capped court fees at AED 40,000 for claims exceeding AED 1,000,000. The plaintiff is subject not only to court fee, but lawyer's fee, translation fee and stamp duty. All these fees are **advance fees** paid prior to opening a file in court of law. There are other fees paid in litigation like fees for injunction order, judgment or decree, amendment of claim or defense, penalties for missing court appointments, expert fees, witness expenses etc. These are hidden fees that pop up during litigation.

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