

Legal Fees for Civil Lawsuits in China

You ever wondered how much a civil lawsuit will cost you in China? Here's the answer.

Legal fees in China for a civil lawsuit usually include the court fee, the property preservation fee, the guarantee letter fee, the notarization& authentication fee, the translation fee, the execution fee and the lawyer fee. Among all the above expenses, only the court fee has to be paid, other expenses depend on your demands.

1. The court fee will be prepaid by the plaintiff, but the plaintiff can ask the defendant to pay it afterward in the claims. The judge will rule how much should each party cover in the judgment.

For the cases where the claim concerns property relations, the court fee will be charged at a cumulative rate in segments according to the claim amount as follows:

Claim Amount	Rates for One Instance
Not exceeding RMB 10,000	CNY 50 for each case
For the portion exceeding RMB 10,000 to RMB 100,000	2.5% of the portion
For the portion exceeding RMB 100,000 to RMB 200,000	2% of the portion
For the portion exceeding RMB 200,000 to RMB 500,000	1.5% of the portion
For the portion exceeding RMB 500,000 to RMB 1,000,000	1% of the portion

For the portion exceeding RMB 1,000,000 to RMB 2,000,000	0.9% of the portion
For the portion exceeding RMB 2,000,000 to RMB 5,000,000	0.8% of the portion
For the portion exceeding RMB 5,000,000 to RMB 10,000,000	0.7% of the portion
For the portion exceeding RMB 10,000,000 to RMB 20,000,000	0.6% of the portion
For the portion exceeding RMB 20,000,000	0.5% of the portion

Divorce cases can be slightly different.

It's easy to use an online court fee calculator to help. *Click here* to see.

If two parties can reach a court administrative mediation, the court fee will be reduced by half.

2. When the plaintiff wants to take a preservation action to freeze the defendant's property, he or she may file an application, pay **preservation fee** (up to RMB 5,000) and **guarantee letter fee** (usually a few thousand RMB).

3. The notarization& authentication fee and translation fee usually happen when you have documents in foreign languages, or signed the power of attorney outside of China.

The notarization& authentication fee will depend on the standard of the country where you notarize& authenticate the documents.

For the translation fee, see *SISUTS* and *SIA* websites.

4. If the defendant fails to voluntarily perform a judgment, the plaintiff can apply to the court for enforcement. The court will charge **the execution fee** from the executed properties of the defendant directly.

5. Lawyer fee may not be as expensive as you thought. Unlike western countries, the hourly rate is not commonly used in China. Usually, you will get:

1) fixed fee, 2) a fee proportional to the amount in dispute, or 3) a contingency fee.

The Shanghai Bar Association guides lawyer's fee as follows:

For cases involving property relations, the lawyer's fees for one instance may be charged at a cumulative rate in segments according to the claim amount:

Claim Amount	Rates for One Instance
For the portion of the claim amount up to and including RMB 100,000	8% to 12% of the total claim amount, but at least 3k.
For the portion of the claim amount over RMB 100,000 up to and including RMB 1 million	5% to 7% of the claim amount
For the portion of the claim amount over RMB 1 million up to and including RMB 10 million	3% to 5% of the claim amount
For the portion of the claim amount over RMB 10 million up to and including RMB 100 million	1% to 3% of the claim amount
For the portion of the claim amount over RMB 100 million	0.5% to 1% of the claim amount