

# **First Study Commission Report to the Questionnaire Principality of Liechtenstein**

- 1.) In Liechtenstein legal aid is provided in general for all proceedings. It is available for individuals (not for legal persons) in all courts, civil and criminal and also in the procedures before the High Administrative Court and the Constitutional Court.
- 2) The costs of using the court, the costs of the lawyer and the costs of experts appointed by the court are covered. Costs of experts engaged by parties before starting the procedure are not covered.
- 3) There is no limitation of the costs of the legal aid itself. Liechtenstein doesn't know different types of lawyers. The lawyer in the case of legal aid is appointed by the Bar Association respecting to a certain extend the wishes of the parties; e.g. a certain lawyer was dealing with the case before starting court proceedings.
- 4.) Legal aid is granted by the judge, competent for the trial.
- 5.) Students in higher schools are taught about the court system and the functioning of the justice system.
- 6.) In a small country like Liechtenstein no special means for disseminating information about the court system, procedure and also legal aid is necessary. Everyone who wants to have information can go to the court, where an own department gives all information. He can make a phone call or write an email and he gets the answer. This is a very common practice in Liechtenstein.
- 7.) Liechtenstein has no minorities. Residents, not speaking German or also foreigners have the right to have an interpreter before the court. When legal aid is granted, the party has not to pay for the interpretation.
- 8.) No serious delays are known.
- 9.) No obstacles for access to justice are known.
- 10.) The enforcement of judgements in criminal cases is granted by the competent judge. In civil cases it is up to the party to initiate the enforcement of the judgement. After initiation the enforcement is dealt by the competent division of the court. No problems with enforcement exist.
- 11.) No obstacles for access to justice are known.

Dr. Lothar Hagen, Judge