

## COST AND FEE ALLOCATION IN CIVIL PROCEDURE%0A

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From the reviews: There is a lack of expansive comparative analyses of the law of cost shifting and fee allocation across the world. Cost and Fee Allocation in Civil Procedure fills this gap.

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the whole, the study suggests, the problems with high civil litigation costs and their allocation between the parties are more severe and pervasive in common law system than in civil law jurisdictions, and it proffers a few

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[Cost and Fee Allocation in Civil Procedure: A Synthesis](#) Mathias Reimann 1.1 Introduction: The Topic and Its Limits This chapter provides a comparative study of the principles and rules governing costs and fees in civil litigation. It is based on the General Report written for the XVIIIth World Congress of Comparative Law held in Washington D.C. in the summer of 2010. It is thus draws heavily (albeit by no means exclusively, see infra Section 1.1.4) on the respective National Reports

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Norway ...

Cost and Fee Allocation in Civil Procedure in Norway

Introduction The basic rule of cost and fee allocation in Norway is cost shifting, i.e. the loser pays all costs and fees. This rule applies to attorneys fees, court cost, and costs related to producing evidence, i.e. primarily compensation to witnesses and expert witnesses. The principal justification is that a party, who needs to resort

### **Cost and Fee Allocation in Civil Procedure**

This report describes cost and fee allocation under the civil procedure of the federal courts of the United States and of the State of New York. It does not address the cost and fee allocation systems of the other forty-nine states of the United States other than in occasional generalities. Each state has its own unique rules. While these rules vary in detail, most parallel the federal or New

### **COST AND FEE ALLOCATION IN CIVIL PROCEDURE**

Rules on cost and fee allocation in civil procedure are found in the Civil Procedure Act (CPA).<sup>1</sup> Case law is not formally recognized as a source of law. In practice, an established case law is an important authority and lower courts tend to follow positions of the appellate courts and of the Supreme Court. Courts are not authorized to determine procedural rules by themselves. In the field of

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