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Lithuanian perspective

OXFORD

ELI-UNIDROIT MODEL EUROPEAN
RULES OF CIVIL PROCEDURE

*From Transnational Principles to
European Rules of Civil Procedure*

European Law Institute (ELI)
International Institute for the Unification of Private Law (UNIDROIT)



The rules are still not discussed broadly in Lithuania



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Most interesting rules for Lithuanian civil procedure



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- **Proportionality** - The court must ensure that the dispute resolution process is proportionate.

In determining whether a process is proportionate the court must take account of the nature, importance and complexity of the particular case and of the need to give effect to its general management duty in all proceedings with due regard for the proper administration of justice.

Cooperation rules

Case hearing and case management

- ...set a timetable or procedural calendar with deadlines for procedural steps to be taken by parties and/or their lawyers...;
- Joint application for party agreed proceedings;
- Early Final Judgments;
- Judgments on Preliminary Procedural Issues or on Legal Issues on the Merits



Other interesting rules

The court may permit all or part of the proceedings to be conducted in other languages where doing that would not prejudice the parties or the right to a public hearing.

Where a judge mediates during a settlement process and receives information in the absence of one of the parties, that judge must not decide the case.

A party may waive their right of appeal or to seek recourse. Waiver must be informed and express. Waiver may be given to the court in writing before or during a court hearing, or given orally in a court hearing.

Collective proceedings;

Third Party Funding;