

## **The Introduction of Simplified Civil Litigation**

**As of August 2025, a legislative amendment allows contracting parties to agree in their contracts that any potential disputes will be resolved under the rules of simplified civil litigation. In this article, we provide an overview of what this new option entails and when it may be worth considering.**

### **How does simplified civil litigation differ from ordinary proceedings?**

The main difference lies in the so-called priority treatment: the court's general obligation to take action must be fulfilled within no more than eight days, and procedural deadlines are shorter compared to the general rules. The court must deliver a judgment within thirty days.

The shortened deadlines accelerate proceedings, which is advantageous, but they also leave less time to prepare submissions, which is one of the disadvantages of this procedure.

For example, the deadline for submitting a written defence is fifteen days from service of the statement of claim, compared to the usual forty-five days. The appeal period is eight days, and an appeal is only admissible on the grounds of a material breach of the rules of first-instance procedure or the misapplication of substantive law. The appellate court must also decide the appeal within thirty days.

In simplified civil litigation, only documentary and expert evidence is admissible.

The law also contains detailed provisions regarding expert proceedings. Notably, when an expert opinion is requested for use in simplified litigation, the expert is obliged to notify the opposing party of the subject of the appointment, the issues to be examined, and any planned site inspections or examinations. The opposing party must be given the opportunity to submit comments, observations, or questions relevant to the matter under examination.

If the expert fails to comply with these obligations, their opinion cannot be admitted as evidence.

Another important rule is that the parties may jointly request that the case continue under the general rules of procedure. In that event, the court will schedule a preparatory hearing and proceed according to the ordinary rules.

### **Is legal representation required, and can deadlines be excused?**

Legal representation is mandatory in this procedure as well. Missing a deadline is sanctioned strictly: if the claimant fails to submit the statement of claim within the set deadline in the preparatory document, the court will terminate the proceedings. The court decides the case based on the documents at hand, meaning that late or incomplete submissions cannot be remedied at a later stage.

**When is simplified civil litigation recommended?**

This new type of procedure can be a quick and effective tool for resolving contractual disputes in court, but only where the contracts are straightforward and the disputes are likely to require little or no evidence. For instance, in very simple real estate sale and purchase agreements or for businesses entering into a large number of standard form contracts, including such a clause may be worth considering.