

Enforcing Contracts

www.doingbusiness.org

Country

Dear Contributor,

We would like to thank you for your cooperation with the *Doing Business* project. The information you provide is analyzed and presented in the *Doing Business* report, an annual publication of the World Bank and the International Finance Corporation that benchmarks business regulation in 178 economies worldwide.

Last year's report, *Doing Business 2008*, was a great success, inspiring more than 3500 articles in the press, thanks to the generous contribution of 5000 experts like you in 178 economies. Since its inception in 2004, *Doing Business* has inspired 113 reforms around the world. These reforms make it easier to do business in countries as diverse as Egypt and Estonia.

Thanks to reforms of business regulation, more businesses are starting up, finds *Doing Business 2008*. Your participation has been essential to this success.

For *Doing Business 2009*, we are honored to count on your expertise. We would be interested in understanding if reforms affecting contract enforcement in your country have been implemented since June 2007.

Please return the completed questionnaire within the next 20 working days, the latest by February, 7th 2008 to Oliver Lorenz (olorenz@worldbank.org) and Lior Ziv (lziv@worldbank.org). Sabine Hertveldt supervises the Enforcing Contracts indicator and she can be reached at shertveldt@ifc.org. If you have any questions, do not hesitate to contact us.

The World Bank has also recently launched a blog that offers you the possibility to read about experiences and insights of the *Doing Business* team, its local partners, private sector specialists and reformers. Please visit our blog at <http://blog.doingbusiness.org>, and exchange views or comments with specialists like you from around the world.

Thank you again for your invaluable contribution to the World Bank's work.

Sincerely,



Oliver Lorenz
olorenz@worldbank.org
Telephone: +1 202 473 7529



Lior Ziv
lziv@worldbank.org
Telephone: +1 202 473 7835

How to proceed

1. Please review the case study and its assumptions to understand fully the context of the survey.
2. Update or provide us with your contact information, the information you would like us to publish, and the information regarding others who contributed to the completion of this survey.
3. In the section 'Doing Business 2009 Data', please update the data regarding time, cost and procedural steps. Feel free to write as much as you want in the comment boxes as this helps us to understand the data. For the procedural steps, you can write comments in the annex if you so wish.
4. In the section 'General questions and reforms', please respond to the questions about the features and reforms of your legal system. Again, feel free to write as much as you want in the comment boxes.
5. In the new 'Gender' section, please tell us about any gender-specific issues regarding contract enforcement.
6. In the 'Referrals' section, please indicate if you wish to contribute to any other topics covered by Doing Business. In addition, please mention the names of anyone who might be suited to fill out any of our surveys.

Standardized case study

Enforcing a commercial debt through the courts

Seller sells goods to Buyer for an amount of LCU Amount. Seller and Buyer are domestic companies located in City. Buyer alleges that the goods are of inadequate quality and refuses to pay. Seller, however, insists that the goods are of adequate quality. Moreover, because the goods were custom-made for Buyer, Seller cannot sell them to anyone else. Seller therefore demands full payment and sues Buyer. The court agrees with Seller and orders Buyer to pay the debt in full.

Assumptions

- 1) The value of the claim is: LCU Amount.
- 2) The dispute is over a lawful commercial transaction between two domestic companies, both located in City.
- 3) The court deciding the case is the court in City with jurisdiction over a commercial claim of the above mentioned value.
- 4) Seller sues Buyer to recover the amount due under a contract for the sale of goods. Buyer opposes the claim, which is then disputed on the merits.
- 5) Seller attaches Defendant Buyer's goods prior to obtaining a judgment because Seller fears Buyer may become insolvent during the lawsuit.
- 6) Opinions are given on the quality of the goods:
 - a) If it is standard practice in your country (as in most common law countries) for Seller and Buyer to call witnesses or experts to give their opinion on the quality of the goods, then the parties each call one witness or expert.
 - b) If it is standard practice in your country (as in most civil law countries) for the judge to appoint an independent expert to give an opinion on the quality of the goods, then the judge does so. In that case, the judge does not allow opposing expert testimony.
- 7) Judgment is 100% in favor of Seller. The judge decides the goods are of adequate quality. Buyer is required to pay the agreed price.
- 8) Buyer does not appeal the judgment. The first instance judgment becomes final.
- 9) Seller takes all required steps for prompt enforcement of the judgment. The money is collected successfully through a public sale of Buyer's moveable assets (e.g. office equipment).

Existing contact information

	Please provide us with your updated information, if any.	Please mark the information you would like published?
Title (Mr., Ms., etc.)	[]	<input type="checkbox"/>
Name	[] (first/given) [] (last/family)	<input type="checkbox"/>
Position	[]	<input type="checkbox"/>
Firm	[]	<input type="checkbox"/>
Mailing Address	[] (street) [] (city) [] (state/province) [] (country) [] (zip/postal)	<input type="checkbox"/>
Phone	[]	<input type="checkbox"/>
Cell Phone	[]	<input type="checkbox"/>
Fax	[]	<input type="checkbox"/>
E-Mail	[]	<input type="checkbox"/>
Website	[]	<input type="checkbox"/>

Additional contributors

	Name	Firm and Position	Email	Phone
1st participant	[] (first/given) [] (last/family)	[] (firm) [] (position)	[]	[]
2nd participant	[] (first/given) [] (last/family)	[] (firm) [] (position)	[]	[]
3rd participant	[] (first/given) [] (last/family)	[] (firm) [] (position)	[]	[]
4th participant	[] (first/given) [] (last/family)	[] (firm) [] (position)	[]	[]
5th participant	[] (first/given) [] (last/family)	[] (firm) [] (position)	[]	[]

Doing Business 2009 data

1. Competent court and applicable rules

a. Please confirm that the following court has the jurisdiction to decide the standardized case, given the amount of LCU Amount: Court name local language local language / Court name English English.

Yes No

If this is not the competent court, please indicate:

The name of the court in the local language: []

The name of the court in English: []

b. We have the following information on the procedural rules, applicable to the standardized case:

Name of rules in local language: NameRules_Local

Name of rules in English: NameRules_English

First adopted: First Adopted

Last modified: Last Modified

If the information above is incorrect, incomplete or missing, please update or complete [].

2. Time

Please indicate the number of calendar days on average to resolve the standardized case. Note that only the first instance is considered and that no appeal is filed. Please state the number of days it actually takes, as opposed to how long it should be in theory.

Period	Number of days	Last year's number	If you changed last year's number, please explain why
(i) Filing and Service. From the moment Plaintiff (seller) decides to sue Defendant (buyer) until the moment Defendant (buyer) is served with process.	[] days	filingT days	[]
(ii) Trial and judgment. From the moment Defendant (buyer) is served with process, through the judgment, until time for appeal has expired.	[] days	trialT days	[]
(iii) Enforcement of judgment. From the moment the judgment becomes final at the end of the appeal period until the moment Plaintiff (seller) obtains payment through the public sale of Defendant's (buyer's) movable goods.	[] days	enforceT days	[]
(iv) Total time (total number of days for the three subsections)	[] days	totalT days	[]
Additional comments on the length of proceedings: []			

3. Cost

Please indicate only the costs of Plaintiff in the standardized case (a case with a value of LCU Amount).

- Indicate all costs and expenses Plaintiff must incur to obtain and enforce the final judgment.
- Do not deduct costs Plaintiff can recover at the end, if he wins the case. We are interested in all costs and expenses Plaintiff must advance, regardless of the final cost to Plaintiff.

Please note that the value of the claim has changed compared with last year due to updated GNI and the introduction of a minimum litigation value. As a result, the cost might need updating for some countries.

Costs Plaintiff has to advance, even if reimbursed	% of claim this year	Amount this year	% of claim last year	Amount last year
(i) Attorney's fees charged by an average local law firm (including value added tax and other applicable taxes)	[]	[] LCU	cost1 % of claim	Amount LCU
(ii) Court costs - to register the case - fees for the expert - other court costs	[]	[] LCU	cost2 % of claim	amount2 LCU
(iii) Enforcement costs - to register judgment - to organize public sale of goods - other enforcement costs, such as for transport or storage	[]	[] LCU	cost3% of claim	amount3 LCU
If you changed last year's <i>attorney's fees</i> , please explain why. []				
If you changed last year's <i>court costs</i> , please explain why. []				
If you changed last year's <i>enforcement costs</i> , please explain why. []				

4. Procedural steps (see annex on p.12)

Are all the procedural steps included in the annex with last year's data still correct?

Yes No

You can insert your comments next to the relevant step.

The data provided is based on the answers respondents gave last year for the same standardized case.

Reforms and general questions

1. Reforms

Have **any reforms** in commercial dispute resolution been introduced between June 1, 2007 and today?

Please describe these reforms. []

When did the reforms enter into force? []

Are any other **reforms** in commercial dispute resolution **expected** to be introduced between today and June 1, 2008?

Please briefly describe those expected reforms. []

At which date will the reform come in force between today and June 1, 2008? []

Has your country introduced **a reform** to commercial dispute resolution that you feel **other countries could learn from**?

Yes No

If yes, please describe the reform and what made it effective. []

2. General questions

Does your country in the **field of commercial dispute resolution** have the following?

Yes	No
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Specialized commercial court (or division)	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Computer-aided case management	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Judges consistently limit number or length of adjournments	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Mandatory mediation (with or without judge-mediator)	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Electronic filing of cases (to initiate lawsuit)	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Electronic filing of trial documents (after the lawsuit has begun)	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Possibility to enforce judgment on the basis of the sentence alone, i.e. without the full, motivated decision being written down	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Minimum threshold to appeal first instance judgments	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Amount and comments: []		

Possibility for last instance court to choose which cases to hear	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Simplified procedural rules for uncontested cases or for cases with low financial value	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Legal restriction on a judge's ability to engage in commercial activities	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Legal obligation for judges to disclose their personal assets or business interests	<input type="checkbox"/>	<input type="checkbox"/>
If yes, was it introduced or reformed between June 1, 2007 and now	<input type="checkbox"/>	<input type="checkbox"/>
Is any reform expected between now and June 1, 2008	<input type="checkbox"/>	<input type="checkbox"/>
Comments: []		

Gender

Doing Business is conducting a separate research effort focused on opportunities for women in business. The following section will help inform that research effort with regards to commercial dispute resolution. The information being gathered here will not impact the ranking of your country in this indicator, nor is it related to the methodology of the standard case.

Yes	No
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Do the laws and regulations related to commercial litigation (procedural rules, access to the formal courts, customary law) include any provisions that specifically apply to women? If yes, please explain and state the relevant regulation: []	<input type="checkbox"/>	<input type="checkbox"/>
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Do married women need permission from their husband to start legal proceedings before court? If yes, please explain and state the relevant regulation: []	<input type="checkbox"/>	<input type="checkbox"/>
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Do single women need the permission of a male relative or a third party to start legal proceedings before court? If yes, please explain and state the relevant regulation: []	<input type="checkbox"/>	<input type="checkbox"/>
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Does a woman's testimony in court carry the same weight as a man's testimony? If yes, please explain and state the relevant regulation: []	<input type="checkbox"/>	<input type="checkbox"/>
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Other comments: []

Referrals

The Doing Business project covers several topics of business regulation from start-up to closing. Please let us know whether you would like to contribute to any of the following topics in addition to this survey or whether you would like to recommend one of your colleagues.

I would like to contribute to the following topic	I would like to recommend		
	Name	Firm and Position	Contact Information
<input type="checkbox"/> Starting a business	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Construction licenses/ building regulation (including Architects and Engineers)	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Labor and social security regulation	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Registering property	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Collateral laws/secured transactions	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Protecting investors, (Corporate and Securities law)	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Enforcing contracts/ commercial disputes	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Closing a business/ bankruptcy law	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Transparency/ Public interest law (including NGOs, Academics and Practitioners)	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Trade (including Freight forwarders, Importers and Exporters)	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
<input type="checkbox"/> Infrastructure/ Electricity (including Architects, Engineers, Electrical utility personnel)	[] (first name) [] (last name)	[] (firm) [] (position)	[] (phone) [] (e-mail)
Other comments: []			

Annex: procedural steps

Please note that where the wording of a step has been refined this has been highlighted in bold italics. Any additional comments on the procedural steps are welcome.

	Filing and service	Last year	Comments (optional)
1	Plaintiff requests payment. Plaintiff or his lawyer asks Defendant orally or in writing to comply with the contract.	P1	[]
2	A third person formally notifies Defendant. A person other than the Plaintiff or his lawyer, such as a notary public, formally notifies Defendant of Plaintiff's request for payment.	P2	[]
3	Mandatory conciliation or mediation. Plaintiff invites Defendant to settle the dispute. Because conciliation or mediation fails, Plaintiff is required to submit a written document to the judge proving that conciliation or mediation- prior to initiating the lawsuit- has failed.	P3	[]
4	Plaintiff's hiring of lawyer. Plaintiff hires a lawyer to represent him in court.	P4	[]
5	Plaintiff's filing of summons and complaint. Plaintiff files his summons and complaint with the court, orally or in writing.	P5	[]
6	Plaintiff's payment of court fees. Plaintiff pays court duties, stamp duties, or any other type of court fee. Checked as 'yes' even if reimbursed later.	P6	[]
7	Registration of court case. The court administration registers the lawsuit or court case. This includes assigning a reference number to the lawsuit or court case.	P7	[]
8	Assignment of court case to a judge. The court case is assigned to a specific judge through a random procedure, automated system, ruling of an administrative judge, court officer, etc.	P8	[]
9	Court scrutiny of summons and complaint. Judge examines Plaintiff's summons and complaint for formal requirements. Checked as 'yes' if required by law or standard practice.	P9	[]
10	Judge admits summons and complaint. After verifying the formal requirements, <i>judge decides</i> to admit Plaintiff's summons and complaint.	P10	[]
11	Plaintiff's request for service. Plaintiff makes a written request to the court that process be served on Defendant.	P11	[]
12	Court order for service. Upon Plaintiff's request, <i>judge orders</i> process be served on Defendant.	P12	[]
13	Delivery of summons and complaint to person authorized to perform service of process on Defendant. The judge or a court officer delivers the summons to a summoning office, officer, or authorized person (including Plaintiff), for service of process on Defendant.	P13	[]
14	Arrangements for physical delivery of summons and complaint. Plaintiff takes whatever steps are necessary to arrange for physical service of process on Defendant, such as instructing a court officer or a (private) bailiff.	P14	[]
15	Mailing of summons and complaint. Court or process server, including (private) bailiff mails summons and complaint to Defendant.	P15	[]
16	First attempt at physical delivery. A first attempt to physically deliver summons and complaint to Defendant is successful in the majority of cases.	P16	[]

	Filing and service	Last year	Comments (optional)
17	Second attempt at physical delivery. If a first attempt was not successful, a second attempt to physically deliver the summons and complaint to Defendant is required by law or standard practice.	P17	[REDACTED]
18	Application for substituted service. Because physical delivery is not successful in the majority of cases, Plaintiff applies for substituted service. Substituted service can include, but is not limited to, service by publication in newspapers or affixing of a notice in court or on public bulletin boards. Only checked as 'yes' if physical delivery is usually unsuccessful and substituted service is then mandatory.	P18	[REDACTED]
19	Court order regarding substituted service. Judge in a court order defines acceptable means for substituted service.	P19	[REDACTED]
20	Substituted service. Substituted service is accomplished by publication in newspapers, by affixing a notice in court or on public bulletin boards, etc.	P20	[REDACTED]
21	Proof of service. Plaintiff submits proof of service to court. Checked as 'yes' if required by law or standard practice.	P21	[REDACTED]
22	Application for pre-judgment attachment. Plaintiff submits an application in writing for the attachment of Defendant's property prior to judgment. (see assumption 5).	P22	[REDACTED]
23	Decision on pre-judgment attachment. Judge decides whether to grant Plaintiff's request for pre-judgment attachment of Defendant's property and notifies Plaintiff and Defendant of the decision. This step may include requesting that Plaintiff submit guarantees or bonds to secure Defendant against damages. (see assumption 5).	P23	[REDACTED]
24	Guarantees securing attached property. Plaintiff typically submits guarantees or bonds to secure Defendant against possible damages to attached property. (see assumption 5).	P24	[REDACTED]
25	Pre-judgment attachment. Defendant's property is attached prior to judgment. Attachment is either physical, or achieved by registering, marking, debiting or separating assets. (see assumption 5).	P25	[REDACTED]
26	Custody of assets attached prior to judgment. Defendant's attached assets are put under enforcement officer's or (private) bailiff's care. (see assumption 5).	P26	[REDACTED]
27	Report on pre-judgment attachment. Court enforcement officer or (private) bailiff issues and delivers a report on the attachment of Defendant's property to the judge. (see assumption 5).	P27	[REDACTED]
28	Hearing on pre-judgment attachment. A hearing takes place to resolve the question of whether Defendant's assets can be attached prior to judgment. This process may include the submission of separate summons and petitions. (see assumption 5).	P28	[REDACTED]
	Trial and judgment	Last year	Comments (optional)
29	Defendant's deposit of a bond or payment guarantee with the court. Defendant deposits a bond or guarantee with the court. Checked as 'yes' if required by law or standard practice.	P29	[REDACTED]

	Trial and judgment	Last year	Comments (optional)
30	Defendant's filing of preliminary exemptions. Defendant presents preliminary exemptions to the court. (Preliminary exemptions differ from answers on the merits. Examples of preliminary exemptions are statute of limitations, jurisdictions, etc.) Checked as 'yes' when preliminary exemptions are commonly raised by Defendant as a delaying tactic, regardless of justification.	P30	[]
31	Plaintiff's answer to preliminary exemptions. Plaintiff responds to the preliminary exemptions raised by Defendant. Checked as 'yes' if preliminary exemptions are commonly raised (step 30) and if plaintiff responds to them immediately.	P31	[]
32	Judge's resolution on preliminary exemptions. Judge decides on preliminary exemptions separately from the merits of the case. Checked as 'yes' if preliminary exemptions are commonly raised (step 30) and if judge resolves the question before rendering his decision.	P32	[]
33	Defendant's filing of defense or answer to Plaintiff's claim. Defendant files a written pleading which includes his defense or answer on the merits of the case. Defendant's written answer may or may not include witness statements, expert statements, the documents Defendant relies on as evidence and the legal authorities Defendant relies on. (see assumption 4)	P33	[]
34	Deadline for Plaintiff to answer Defendant's defense or answer. Judge sets the deadline by which Plaintiff will be allowed to answer Defendant's defense or answer.	P34	[]
35	Plaintiff's written response to Defendant's defense or answer. Plaintiff responds to Defendant's defense or answer with a written pleading. Plaintiff's answer may or may not include witness statements or expert (witness) statements.	P35	[]
36	Filing of pleadings. Plaintiff and Defendant file written pleadings and submissions with the court and transmit copies of the written pleadings or submissions to one another. The pleadings may or may not include witness statements or expert (witness) statements.	P36	[]
37	Adjournments. Court procedure is delayed because one or both parties request and obtain an adjournment to submit written pleadings. Checked as 'yes' if this commonly happens.	P37	[]
38	Court's mailing of allocation questionnaire to parties. The court mails a questionnaire to the parties asking each to allocate the case among different case-tracks (for example, multi track, fast track) and asking each to frame the issues for trial.	P38	[]
39	Parties' answer to court's allocation questionnaire. Parties submit their completed allocation questionnaires to the court (including their answers regarding case-tracks and the issues for trial).	P39	[]
40	Framing of issues. Plaintiff and Defendant assist the court in framing the issues on which evidence is to be presented.	P40	[]
41	Court appointment of independent expert. Judge appoints, either at the parties' request or at his own initiative, an independent expert to decide whether the quality of the goods Plaintiff delivered is adequate (see assumption 6-b).	P41	[]
42	Notification of court-appointment of independent expert. The court notifies both parties that the court is appointing an independent expert (see assumption 6-b).	P42	[]
43	Delivery of expert report by court-appointed expert. The independent expert, appointed by the court, delivers his or her expert report to the court (see assumption 6-b).	P43	[]

	Trial and judgment	Last year	Comments (optional)
44	Pre-trial conference on procedure. The judge meets with the parties to discuss procedural issues (for example which applications and motions parties intend to file, which documents parties intend to rely on, etc.)	P44	[REDACTED]
45	Setting of date for mediation hearing. The judge sets a date for a mediation hearing, sometimes also called a 'pre-trial conference,' and notifies the parties of the hearing date.	P45	[REDACTED]
46	Mediation hearing. The judge during this informal meeting with the parties encourages them to settle the case. The judge acts as mediator. If the case cannot be settled, the judge may draft a pre-trial conference report, after which the case may be allocated to another judge for trial.	P46	[REDACTED]
47	Request for interlocutory order. Defendant raises preliminary issues, such as jurisdiction, statute of limitation, etc. Checked as 'yes' if commonly raised, regardless of justification.	P47	[REDACTED]
48	Court's issuance of interlocutory order. Court decides the preliminary issues the Defendant raised by issuing an interlocutory order. Checked as 'yes' if commonly the case in commercial cases.	P48	[REDACTED]
49	Plaintiff's appeal of court's interlocutory order. Plaintiff appeals the court's interlocutory order, which suspends the court proceedings. Checked as 'yes' if the appeal is common in this case.	P49	[REDACTED]
50	Discovery requests. Plaintiff and Defendant make requests for the disclosure of documents, attempting to force the other party to reveal potentially detrimental documents. Checked as 'yes' if discovery requests usually entail disputes.	P50	[REDACTED]
51	Discovery disputes. Following a request for discovery of documentary evidence, the other party disputes the request and calls upon the judge to decide the issue. Checked as 'yes' if discovery disputes are provided by law and commonly happen.	P51	[REDACTED]
52	Request for oral hearing or trial. Plaintiff applies for the date(s) for the oral hearing or trial.	P52	[REDACTED]
53	Setting of date(s) for oral hearing or trial. <i>Judge sets</i> the date(s) for the oral hearing or trial.	P53	[REDACTED]
54	Preliminary hearing aimed at preparing for the oral hearing. The judge meets the parties to make practical arrangements for the oral hearing on the merits of the case.	P54	[REDACTED]
55	Pre-trial conference aimed at preparing for trial. The judge meets with parties to make practical arrangements for the trial (for example, the number of witnesses parties intend to call on during trial, how much time each party is given to present oral arguments etc.).	P55	[REDACTED]
56	List of (expert) witnesses. The parties file a list of (expert) witnesses with the court. (see assumption 6-a)	P56	[REDACTED]
57	Summoning of (expert) witnesses. The court summons (expert) witnesses to appear in court for the oral hearing or trial. (see assumption 6-a)	P57	[REDACTED]
58	Adjournments. Court proceedings are delayed because one or both parties request and obtain an adjournment to prepare for the oral hearing or trial.	P58	[REDACTED]
59	Oral hearing (prevalent in civil law). The parties argue the merits of the case at an oral hearing before the judge. Witnesses and a court-appointed independent expert may be heard and questioned at the oral hearing.	P59	[REDACTED]

	Trial and judgment	Last year	Comments (optional)
60	Trial (prevalent in common law). The parties argue the merits of the case at (an) oral session(s) before the court. Witnesses and expert witnesses are questioned and cross-examined during trial.	P60	[REDACTED]
61	Adjournments. Court proceedings are delayed because one or both parties request and obtain an adjournment during the oral hearing or trial, resulting in an additional or later trial or hearing date.	P61	[REDACTED]
62	Request for closing of the evidence period. Plaintiff or Defendant requests the judge to close the evidence period.	P62	[REDACTED]
63	Closing of the evidence period. The court makes the formal decision to close the evidence period.	P63	[REDACTED]
64	Advice by public prosecutor or third party. The office of the public prosecutor or any other third party advises the court on how to decide the case.	P64	[REDACTED]
65	Order for submission of final arguments. The judge sets the deadline for the submission of final factual and legal arguments.	P65	[REDACTED]
66	Final arguments. The parties present their final factual and legal arguments to the court either by oral presentation or by a written submission.	P66	[REDACTED]
67	Judgment date. The judge sets a date for delivery of the judgment.	P67	[REDACTED]
68	Notification of judgment in court. The parties are notified of the judgment at a court hearing.	P68	[REDACTED]
69	Writing of judgment. The judge produces a written copy of the judgment.	P69	[REDACTED]
70	Registration of judgment. The court office registers the judgment after receiving a written copy of the judgment.	P70	[REDACTED]
71	Court notification of availability of the written judgment. The court notifies the parties that the written judgment is available at the courthouse.	P71	[REDACTED]
72	Plaintiff's receipt of a copy of written judgment. Plaintiff receives a copy of the written judgment which is 100% in favor of plaintiff (see assumption 7).	P72	[REDACTED]
73	Notification of Defendant of judgment. Plaintiff or court formally notifies the Defendant of the judgment. The appeal period starts to run the day the Defendant is formally notified of the judgment.	P73	[REDACTED]
74	Appeal period. By law defendant has the opportunity to appeal the judgment during a period specified in the law. Defendant decides not to appeal. Judgment becomes final the day the appeal period ends. (see assumption 8)	P74	[REDACTED]
75	Reimbursement by Defendant of Plaintiff's court fees. The judgment obliges Defendant to reimburse Plaintiff for the court fees Plaintiff has advanced, because Defendant has lost the case.	P75	[REDACTED]

	Enforcement of judgment	Last year	Comments (optional)
76	Plaintiff's hiring of lawyer. Plaintiff hires a lawyer to enforce the judgment or continues to be represented by a lawyer during the enforcement of judgment phase.	P76	[REDACTED]
77	Plaintiff approaching of court enforcement officer or (private) bailiff to enforce the judgment. To enforce the judgment, Plaintiff approaches a court enforcement officer such as a court bailiff or sheriff, or a private bailiff.	P77	[REDACTED]

	Enforcement of judgment	Last year	Comments (optional)
78	Publication of judgment. The judgment must be published in an official journal, gazette or local newspaper.	P78	[]
79	Plaintiff's request for enforcement order. Plaintiff applies to the court to obtain the enforcement order ('seal' on judgment).	P79	[]
80	Plaintiff's advancement of enforcement fees. Plaintiff pays the fees related to the enforcement of the judgment.	P80	[]
81	Attachment of enforcement order to judgment. Judge attaches the enforcement order ('seal') to the judgment.	P81	[]
82	Delivery of enforcement order. The court's enforcement order is delivered to a court enforcement officer or a (private) bailiff.	P82	[]
83	Plaintiff's request for physical enforcement. As Plaintiff fears that Defendant might physically resist the attachment of its movable goods, Plaintiff addresses a request to the judge or to the police authorities to obtain police assistance during the attachment of Defendant's movable goods.	P83	[]
84	Judge's order for physical enforcement. Judge orders the police to assist with the physical enforcement of the attachment of Defendant's movable goods.	P84	[]
85	Request to Defendant to comply voluntarily with judgment. Plaintiff, a court enforcement officer or a (private) bailiff requests Defendant to voluntarily comply with the judgment, giving Defendant a last chance to comply voluntarily with the judgment.	P85	[]
86	Identification of Defendant's assets for attachment by court official or Defendant. The judge, a court enforcement officer, a (private) bailiff or the Defendant himself identifies Defendant's movable assets for attachment.	P86	[]
87	Contestation of selection of assets identified for attachment. The party, Plaintiff or Defendant, which was not involved in the designation of the assets for attachment, contests the selection of assets for attachment.	P87	[]
88	Plaintiff's identification of Defendant's assets for attachment. Plaintiff identifies Defendant's assets for attachment.	P88	[]
89	Notification of intent to attach. A court enforcement officer or (private) bailiff notifies other creditors of the intent to attach Defendant's goods.	P89	[]
90	Attachment. Defendant's movable goods are attached (physically or by registering, marking or separating assets).	P90	[]
91	Report on execution of attachment. A court enforcement officer or (private) bailiff delivers a report on the attachment of Defendant's movable goods to the judge.	P91	[]
92	Valuation or appraisal of attached movable goods. The court or court appointed valuation expert evaluates the attached goods.	P92	[]
93	Enforcement disputes before court. The enforcement of the judgment is delayed because Defendant opposes aspects of the enforcement process before the judge.	P93	[]
94	Call for public auction. Judge calls a public auction by, for example, advertising or publication in the newspapers.	P94	[]
95	Sale through public auction. The Defendant's movable property is sold at public auction.	P95	[]

	Enforcement of judgment	Last year	Comments (optional)
96	Direct sale. Defendant's property is sold but not through a public auction. Checked as 'yes' if the direct sale is common as an alternative to a public auction. (assumption 9 is disregarded here).	P96	[]
97	Judge's decision on bids. Judge determines the adequacy of the bids presented at public auction.	P97	[]
98	Distribution of proceeds. The proceeds of the public auction are distributed to various creditors (including Plaintiff), according to the rules of priority.	P98	[]
99	Reimbursement of Plaintiff's enforcement fees. Defendant reimburses Plaintiff's enforcement fees which plaintiff had advanced previously.	P99	[]
100	Payment. Judge orders that the proceeds of the public auction or the direct sale be delivered to Plaintiff.	P100	[]