SUMMARY

The article presents the development of civil proceedings in Germany and other countries on the basis of the work of Gerhard Wagner Rechtsstandort Deutschland im Wettbewerb - Impulse für Justiz und Schiedsgerichtsbarkeit (Legal Location Germany in Competition - Impulses for Judiciary and Arbitration). It is worked out that in Germany, but also in some other states, the number of civil proceedings for contractual disputes, including insurance law cases, is constantly decreasing, while it has remained the same in the area of tort. The reasons for this lies only in part in a combination of extended customer rights created by the EU and the increasing creation of alternative dispute resolution methods. Another important factor is that online retailers are more cautious with customer complaints than traditional retailers and avoid negative reviews on the internet by satisfying customers’ demands even in cases where their justification is doubtful. In this way, legal proceedings before the courts are avoided. In the meantime also the stationary trade and other branches have joined this practice. The article also states that the costs of a civil procedure can be reasonably well planned in Germany, since the statutory provisions on the lawyer’s remuneration do not provide for an additional fee for each action. In addition, the importance of legal protection insurance in Germany is briefly mentioned.

Key words: German Judiciary, German Law on Alternative Dispute Resolution in Consumer Disputes, Ombudsman, German Insurance Law, Internet, German Lawyer Tariff, Insurance Covering Costs of Legal Counseling and Representation

LITERATURA (REFERENCES)


Schneider, K. (2017). Rechtsschutzversicherung für Anfänger (Osiguranje koje pokriva troškove pravnog savetovanja i zastupanja pred sudom za početnike), Münhen.
