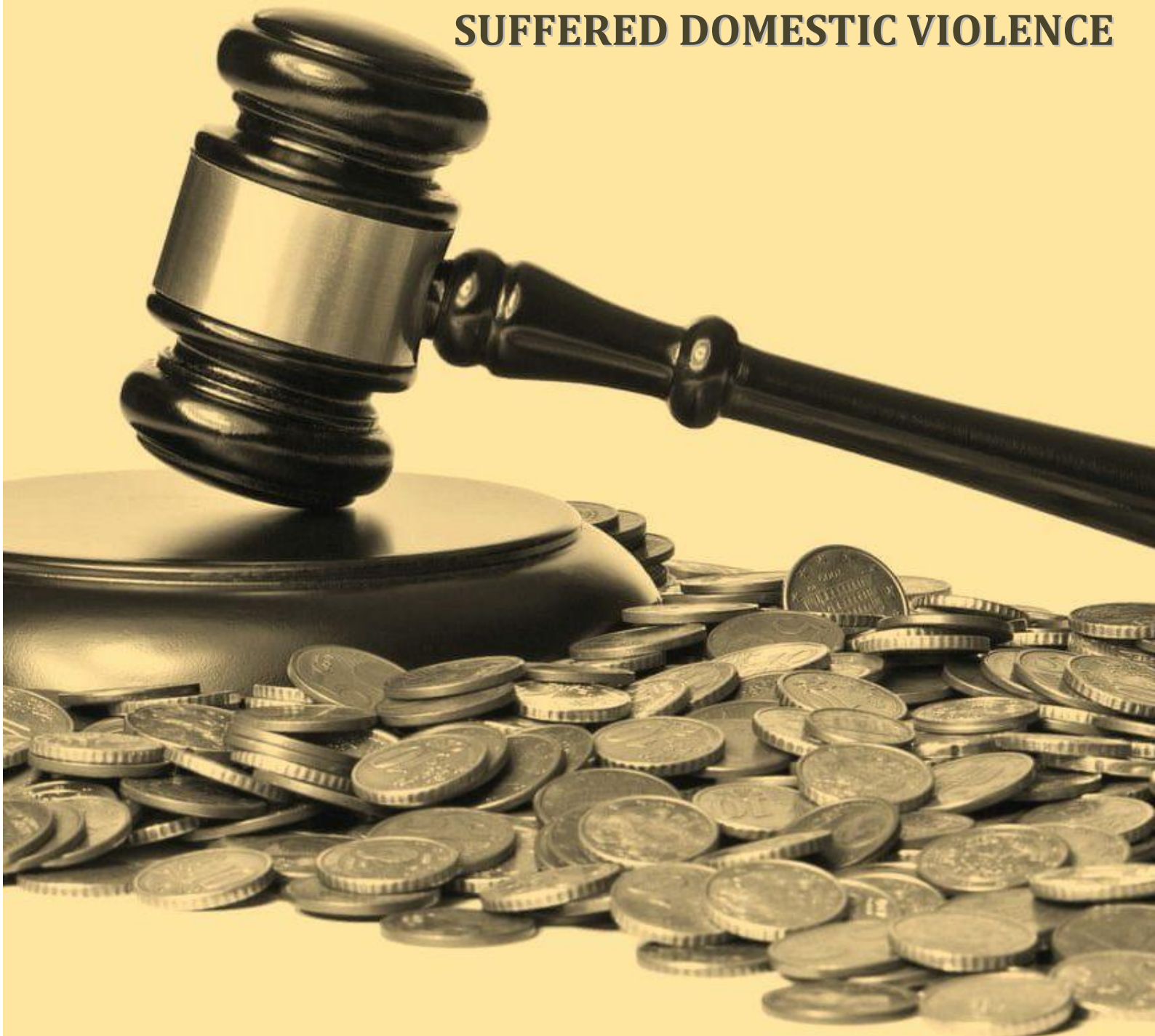


**THE IMPACT OF COURT FEES AND COSTS AND
INFORMATION ABOUT EXEMPTION FROM
PAYMENT OF COURT FEES AND COSTS AS AN
OBSTACLE OR OPPORTUNITY IN RESPECT OF
COURT PROTECTION FOR WOMEN WHO HAVE
SUFFERED DOMESTIC VIOLENCE**



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INTRODUCTION

The Association ESE is continuously working to improve the court protection of women who have suffered domestic violence, with a special focus on facilitating access to family dispute proceedings. Recognizing the importance and urgent need of women to address the legal issues of domestic violence, ESE in 2019 undertook an initial survey to determine the impact of court fees and costs and the awareness of the practice of legal opportunities for exemption from court costs among women who have suffered domestic violence. In this field, we aim to determine the current situation and identify the obstacles that women face as they try to resolve legal issues in court as a result of the domestic violence suffered.

The initial analysis from 2019 collected data from women who in the current year applied for free legal aid in ESE. This analysis covered all types of court proceedings in family disputes with the conclusion that women lead an average of two procedures in family disputes. Women have limited financial power to pay court costs with small differences for different proceedings, and few asked for exemption from payment of costs because they were not informed about this possibility before initiating the proceedings.

In this field, the research continued in 2020, with the conclusions from the second analysis being interpreted in relation to the previous analysis. Both analyzes reflect the current situation of women in terms of the availability of court proceedings in family disputes with the conclusion that despite the legal innovations to facilitate access to court protection, in practice they are still insufficiently known or insufficiently experienced by women who have suffered domestic violence.

The Association ESE continued with the research in 2021 in order to identify possible changes to improve the situation in practice after the legal innovations for easier access to court protection for the poor and women who have suffered domestic violence as a vulnerable category of persons.

The purpose of the analysis is to contribute with recommendations based on data collected from the research on women who have conducted or plan to conduct family dispute proceedings. The analysis is expected to identify the key issues and obstacles that make it difficult for women to utilise the legal possibilities for conducting family disputes by exemption from payment of court costs, including professional legal assistance from a competent institution or free representation by a lawyer.

METHODOLOGY

This analysis covers a total of 44 women who requested free legal aid from ESE in the period from January to September 2021. For 24 women these procedures are ongoing or completed and for the remaining 20 the procedures are in the preparation phase and they will be initiated after completing the necessary documentation and preparation of appropriate written submissions.

For the needs of this analysis, the two questionnaires from last year's research were further developed in accordance with the legal changes for reduction of court fees and the right to free legal aid for women in court proceedings as a result of suffered domestic violence. Both questionnaires collected primary data through direct and immediate contact from women and provided information about their condition and problems arising from either the legislation, the actions of the institutions, or the decisions of the courts. In this way, data are collected on: general information about women, the types of proceedings they conduct and will conduct, information and application of legal opportunities for legal aid and financial support in conducting proceedings, information on court costs, and financial opportunities to pay for each of the proceedings, spent or necessary funds in the proceedings, the total costs of the proceedings and the impact on the standard of living of women, experiences and expectations from the proceedings and finally with the personal views and opinions of women to improve access to justice.

The collected data from the research in the analysis are presented in tables for women from both categories who have conducted and will conduct procedures and some of the data are presented in separate tables for each category separately depending on the specificity of the collected data.

Women leading and in need of family litigation are between the ages of 20 and 60, but most (29) are between 31 and 40 years old. According to nationality, most are Macedonian (26), and much fewer are Albanian, Roma, or of other nationalities. According to education, women have from incomplete primary to undergraduate, but most (20) have completed secondary education. Approximately half of women (21) are unemployed and have no income, while the remaining (23) as employees earn from at least 7,501 to a maximum of 30,000 MKD per month. However, for most (21) the monthly salary does not exceed the amount of 16,000 denars. Most women (33) do not have a property in their personal name, while the right to social assistance was exercised only by (7) women. After the experienced domestic violence, some women live in families of two (2) but also with more than five members. However, most (30) live in families with three to four members.

TYPES OF COURT PROCEDURES LEAD BY WOMEN WHO HAVE SUFFERED DOMESTIC VIOLENCE

The general conclusion is that in order to solve the problem of violence and other legal problems they face, women who have suffered domestic violence usually lead more than two procedures before the competent courts. For the court solution of the problems faced by 44 women covered by this analysis, it is necessary to conduct a total of 111 procedures, of which 63 are ongoing or completed, while the remaining 48 procedures are in preparation, ie will be conducted (Table 1). The type of court procedures is conditioned by the nature of the legal problems faced by women. In fact, most women, in addition to the procedures for protection from domestic violence (TPM), are most interested in the divorce procedure due to the need and the possibility in this procedure, in addition to divorce to resolve the issue of entrusted custody and support for minor children.

Types of court procedures	Lead / had led	Will lead	Total number of procedures
TPM	22	17	39
Divorce	22	13	35
Division of property in which ownership is not disputed	7	9	16
Division of property in which ownership is disputed	3	/	3
Child support	3	2	5
Custody	2	3	5
Eviction	2	4	6
Others	2	/	2
Total number of women by category	24	20	44

Table 1. Types of procedures

It is worrying that one-third of the women (14), despite the need, have given up the initiated procedures. Moreover, almost all (13) gave up the procedure for TPM which was initiated through the SWC, and only one (1) woman gave up the procedure for the division of property in which the ownership is not disputed.

Table 2 shows the minimum and maximum amounts for court costs for each of the procedures, with a calculated percentage in relation to the monthly salary of 16,000 denars, as the average salary of female employees, according to data from the survey on personal net income. From the point of view of the financial situation of employed women, it is more than clear from the table below that certain procedure are inaccessible to women even with minimally calculated court costs. Specifically, employed women in divorce procedures, as an example that is most common in court proceedings, need to set aside at least 11,200 denars or even 70% of the monthly salary for court fees for lawsuits, appeals, judgments, and expertise. Thus, the minimally calculated court costs can be increased by paying other costs included in the procedure and reaching a maximum amount of up to 48,000 denars, which is the quarterly earnings of women. Women in this

procedure most often face additional costs for expertise, court notice, the appointment of a temporary representative due to the absence of the defendant, and the like.

Types of court procedures	Amount of fees, etc. costs (MKD)		Percentage (%) of 16,000 (MKD)	
	minimum	maximum	minimum	maximum
TPM	1.920	1.920	12	12
Divorce	11.200	48.000	70	300
Division of property in which ownership is not disputed	5.840	15.150	37	95
Division of property in which ownership is disputed	Depending on the value of the property		/	/
Child support	Depending on the required support for three months		/	/
Custody	3.200	3.200	20	20
Eviction	4.800	4.800	30	30
Lawyer fees	6.000	18.000	100	113

Table 2. Minimum and maximum costs in procedures as a percentage of typical monthly salary of employed women

A. TEMPORARY PROTECTION MEASURES - TPM

The right of women to protection from domestic violence in court proceedings is not free and includes several types of costs on the timely payment of which the court proceedings depend. This is one of the family litigation procedures in which the costs of court fees are the lowest. The fee for a proposal is 480 denars, the fee for an appeal is 980 denars and the fee for a court decision is 480 denars. They are calculated based on the value of the dispute, which in this case is 10,000 denars.

In respect of exemption from paying court costs for this procedure, there are three possibilities for women who are ready to try to solve the problem of domestic violence in court, through Centers for Social Affairs, in accordance with the Law on Prevention and Protection from Violence against Women and Domestic Violence^[4]; through the Ministry of Justice in accordance with the Law on Free Legal Aid, which includes representation by a lawyer; and through a personal proposal of the women with a request for exemption from court costs to a competent court, in accordance with the legal provisions for the litigation procedure provided by the institute, the so-called right of the poor.

This analysis of the procedure under this law covers a total of 39 women, of which 22 are/have been conducting this procedure and 17 more women will lead it. The data obtained from the conducted research regarding the use of the three provided opportunities for conducting this

procedure indicate that the majority (32) of women use the opportunity for this procedure through the SWC. Specifically, for all (22) women who lead or lead the procedure, a written proposal for TPM was submitted to a competent court, with professional legal and financial support from the SWC. This opportunity for this procedure through the SWC was planned to be used by most (10) of the women who will still lead this procedure.

It is important to note that women in neither category were prepared to take advantage of this opportunity through the Ministry of Justice. Also, the women did not practice the possibility of conducting this procedure through a personal proposal to the court, and only two (2) of the women will still lead this procedure. Five (5) of the women who will lead this procedure could not determine which of the envisaged opportunities they will use for this procedure.

The finding from this analysis for almost exclusively conducting the procedure through the SWC is partly expected given that before initiating the procedure out of the three provided possibilities, most (35) knew about the possibility to conduct the procedure at the suggestion of the SWC. This situation is mainly due to the fact that women who have suffered domestic violence usually turn to the SWC to overcome the problem of violence and other legal problems, so they are more familiar with the legal competencies of this institution. Fewer women were informed about the other two possibilities, ie 12 knew about the possibility of submitting a proposal for exemption from court costs in person to the court, while only six (6) knew about the possibility of using free legal aid through the Ministry of Justice. Only two (2) of the women who will still lead this procedure were not informed about any of the three envisaged possibilities for conducting this procedure (Table 3).

Response from women	Via SWC (A)		Via MoJ (B)		Personal proposal / alone (C)		Total		
	Lead/had led	Will lead	Lead/had led	Will lead	Lead/had led	Will lead	A	B	C
They know	22	13	3	3	7	5	35	6	12
They do not know	/	4	19	14	15	12	4	33	27
Total	22	17	22	17	22	17	39	39	39

Table 3. Awareness of the way of initiating this procedure

On the other hand, the expressed dissatisfaction of women regarding the assistance and support they received from the SWC during the procedure for imposing temporary protection measures is particularly worrying. According to the data obtained from the 22 women who used the opportunity to conduct the procedure through the SWC, we concluded that as many as half (12) were completely dissatisfied with the assistance and support provided, six (6) were partially satisfied and only four (4) were satisfied. . There were several reasons for dissatisfaction with the procedure, the most common of which were: slow action on a domestic violence complaint, as well as proposing and withdrawing the proposed measures during the procedure without the prior

consent of the women (Table 4). Some of the women also pointed out the lack of information, ie the distrust in the SWC and the inaction after the recurrence of violence as reasons for the dissatisfaction with the work of the SWC. The stated negative practices in the actions of the SWC directly contribute to the failure to achieve the purpose for which the TPM is pronounced, which is the effective protection of women who have suffered domestic violence. The procedure for TPM is a specialized preventive mechanism for the urgent protection of women who have suffered domestic violence, with short legal deadlines for implementation. As a result of the slow action of the SWC, which contradicts the urgency of this procedure, women are unprotected, ie they continue to suffer violence and face threats to their lives and health. Of particular concern is the fact that many women are insufficiently informed and consulted when the SWC decides to propose or withdraw TPM. Namely, for proposing or withdrawing the SWC it is necessary to take into account the situation of women due to which the procedure is initiated because otherwise there is a risk of not proposing a TPM in a situation when there is a need or withdrawal of TPM in a situation where there is still a risk of recurrence of violence.

Taking into account the importance of this mechanism for reducing the rate of domestic violence in society, it is necessary to promote temporary protection measures and increase the number of initiated procedures and TPM awarded. In fact, one of the main shortcomings in the actions of the SWC in relation to this procedure is the difference between the number of cases in which there was a need for TPM and the number of cases where the SWC has initiated this type of procedure. The findings of this analysis show that more than half of the initiated procedures through the SWC for imposing TPM were stopped, ie the women were left without the necessary urgent protection after the assessment of the SWC, since they did not ask the women for consent before the withdrawal.

Listed reasons for dissatisfaction	No.
Slow handling of reports of domestic violence	10
Unaware of all temporary measures	4
Proposing and withdrawing TPM without the consent of women	7
Unsecured protection from the perpetrator/distrust in the SWC	3
Failure to act upon repeated domestic violence	3
Uncoordinated cooperation with the police	2

Table 4. Reasons for dissatisfaction among women who led this procedure through the SWC

It is also important to note that of the 22 women who gained court experience for this procedure through the SWC, most (18) felt that they were not able to conduct the procedure alone for various reasons. The most common reasons for almost all women (21) were the fear of facing the abuser on their own and also for most (15) not knowing what documents are needed in this procedure (Table 5). Only four (4) women could not determine whether they were able to conduct the procedure on their own.

Listed reasons	No.
They can not pay court costs	6
Unfamiliar with the documents required for this procedure	15
Fear of facing the perpetrator	21
Legally uneducated/ignorant	6
Impaired health as a result of domestic violence	2

Table 5. Reasons why women can not lead this procedure alone

Regarding the women (17) who still planned lead this procedure, we concluded that those informed about the possibilities for conducting this procedure (see Table 3) were only partially acquainted with the special features of this procedure through SWC, MoJ, and at personal suggestion by someone (Table 6). The women who conducted the procedure through the SWC were mostly acquainted with the characteristics of the procedure for the TPM; to a lesser extent the women who personally conducted the procedure were acquainted; while women who contacted the Ministry of Justice were least informed about the characteristics of the procedure.

Answers from women	Procedure according to the provided possibilities		
	Through the SWC	Through MoJ	Personal proposal / alone
Reporting domestic violence to the SWC and consent for the procedure/request to the MoJ / personal proposal for TPM to the court	9	3	3
Legal support with representation/lawyer	5		
Exemption from court costs	1	3	
Legal assistance and support even after the completion of the procedure/supervision over-pronounced TPM	2		
Indication of rights based on a victim of DV	1		
Payment of attorney fees			7
Documents required for this procedure			1
Payment of court costs			3

Table 6. Awareness of the characteristics of this procedure for each of the envisaged opportunities for women who will lead this procedure

Most of the women before initiating this procedure (29) were completely uninformed about the court fees involved in this procedure. Only (6) of the women conducting this procedure knew about all court fees, and only two (2) women from both categories knew about the fee for submitting a proposal (Table 7). We also concluded that if the women had conducted the

proceedings themselves, half (12) had not been informed of the possibility of requesting the court to exempt them from paying the total court costs and most (13) who would still conduct the proceedings were unaware of this (Table 7).

Answers from women	Awareness of the types of court fees provided in this procedure		Awareness of the possibility of exemption from court costs		Total	
	Lead/had led	Will lead	Lead/had led	Will lead	Info for the court taxes	Info for the exemption from the court fees
Only for Proposal	2	2	2	/	4	2
Informed about proposal, appeal, and decision	6	/	8	4	6	12
Uninformed	14	15	12	13	29	25
Total	22	17	22	17	39	39

Table 7. Information on court fees and cost exemption

In terms of payment of total court costs at the end of the TPM procedure, we found that most (30) of the women were uninformed that in case of failure in this procedure they could face a court decision to pay total court costs, including the lawyer of the opposing party if they conducted the procedure alone. Only one woman in both categories knew about this, while six (6) thought that there was no such possibility.

Women were informed about this procedure through several sources, mostly (14) from civil society organizations, less (7) from the police and SWC, and other sources (Table 8). Most (10) of the informed women understood the information partially, two women (2) did not understand the information, and only two (2) women fully understood it.

Sources of information	Lead / had leaded	Will lead	Total
Institutions / SWC, police	5	2	7
GO	10	4	14
Lawyer	2	/	2
Relatives, friends	2	1	3
Personal experience from this procedure	1	2	3

Table 8. Sources of information for this procedure

In terms of the cost of court fees involved in this procedure, we found that about half of the women in both categories did not know how much they needed to pay for each of the court

fees. Of the informed women, most (12) knew the exact amount for submitting a proposal, and fewer (9) for a decision, and (8) for an appeal (Table 9). One woman in both categories did not know the exact amount for the proposal and one for the appeal and decision.

Data on the amounts for the types of court fees	Fee (A)		Appeal fee (B)		Verdict fee (C)		Total procedures by category		
	1	2	1	2	1	2	1	2	1
480/960/480 MKD	8	4	6	2	7	2	12	8	9
They do not know	12	12	15	15	14	15	24	30	29
They do not know the exact amount	2	1	1	/	1	/	3	1	1
Total	22	17	22	17	22	17	39	39	39

Table 9. Information about women about the number of court fees and costs in the TPM procedure (1 indicates the women who lead / led, and 2 those who will lead such a procedure)

Ten (10) of the women did not know how much money was needed to pay for legal representation for a court hearing, and the others considered it necessary to set aside between 3000 MKD and 8.000 MKD; most of the women (9) gave the amount of 6.000 MKD (Table 10).

Data on the amount of cost for a lawyer	Lead / had led	Will lead	Total
3.000 MKD	3	/	3
4.000 MKD	2	1	3
5.000 MKD	4	1	5
6.000 MKD	3	6	9
7.000 MKD	3	2	5
8.000 MKD	1	3	4
They do not know	6	4	10
Total	22	17	39

Table 10. Information about women and the amount of a lawyer's fee

This analysis also covered the real financial possibilities of women to pay costs for this procedure with the finding that the determined amounts for court fees for proposal, appeal, and decision were acceptable for about half of the women. Specifically, the proposal fee of MKD 480 could be paid by 27; the appeal fee in the amount of MKD 960 and MKD 480 per decision could be paid by 22 women. Of the remaining women, six (6) could not determine if they would have the financial means to pay the prescribed court fees, six (6) could not pay for the proposal, while 11 women could not pay the costs of appeal and decision (Table 11).

The amounts for the types of court costs are represented	Motion fee (A)		Appeal fee (B)		Verdict fee (C)		Total procedures by category		
	1	2	1	2	1	2	A	B	C
480/960/480	15	12	11	11	11	11	27	22	22
They can not pay	3	3	7	4	7	4	6	11	11
They can not determine	4	2	4	2	4	2	6	6	6
Total	22	17	22	17	22	17	39	39	39

Table 11. Women's financial ability to pay court fees

Fewer than nine women (9) were actually able to pay for representation by a lawyer in this procedure. Of the remaining 30, 10 women could not pay for legal representation, while 20 could not determine if they would have the financial means of payment because they expected financial support from their parents (Table 12).

Represented amounts for the cost of legal representation	Lead/had led	Will lead	Total
2.000 MKD		1	1
3.000 MKD	1	1	2
5.000 MKD	3	1	4
6.000 MKD	/	2	2
They can not determine	16	4	20
They can not pay	2	8	10
Total	22	17	39

Table 12. Financial ability of women to pay for legal representation

This analysis finds that none of the women conducting this procedure requested a waiver of costs from the court, which is to be expected given that all 22 conducted this procedure through the SWC. In fact, due to the conduct of the proceedings through the SWC, none of the women were faced with paying court fees in the proceedings. However, with the research, we found that seven (7) women had costs for initiating this procedure, for issuing a certificate from the police, and six (6) of them additionally for a medical report as evidence that they suffered domestic violence. These costs amounted to at least MKD 300 per woman; three paid 500 MKD; three of 600 and 1,000 each; and one paid a total of 3,000 MKD including costs for implementation of the compulsory hospital treatment for the perpetrator of domestic violence. These costs did not change the standard of living of women, with the exception only of the woman who had a total cost of 3.000 MKD.

This analysis concludes that most (20) of the women who conducted this procedure did not know who was obliged to pay the total costs in accordance with the court decision after the procedure was completed. The lack of information among women is expected taking into account that all women conducted this procedure through the SWC, and partly because 13 gave up before it was over, while for four (4) women it was still in process. Three (3) did not know about the payment of total costs, although they had completed the procedure and only two (2) knew that they were paid by the opposing party.

For this analysis, data were collected from women about their experiences or expectations from the court procedure. The answers to these questions were ranked very small, small, moderate, large, very large extent and “could not be determined”.

Of the women who experienced conducting the procedure, whether they completed it or gave up, we found that all experienced stress which for most (15) was rated with very large extent, six (6) experienced a large extent of stress and only one woman experienced moderate extent of stress. Also, half (12) of women could not determine whether the procedure was fair while for the rest three said that it was fair in a very small extent, two to a small extent, three to a moderate extent, one to a large extent and one to a very large extent. This procedure had a large negative extent and very large extent negative effect on sixteen (16) women, while six (6) women could not assess the effect.

Additionally, data on the course of the procedure were collected for only nine (9) women, taking into account the previously established findings that 13 dropped out of the procedure. The procedure was completed by five (5) women, of whom two (2) considered the outcome to be a bit fair, while for three (3) it was average. As many as four (4) out of five women ???

Only one of these women considered that on average the outcome compensated for the damage arising from the problem and was of average value in relation to the time lost and the stress experienced through conducting this procedure. The responses of the other 4 women to this were very small.

Of the 4 women for whom this procedure was not performed, three (3) expected to a very small extent the outcome to be fair and to compensate for the damage done, while one woman could not determine. Two of the women expected to a very small extent the outcome to be worth the time spent and the stress experienced while this could not be determined by the other two (2) women.

Offered answers	Fair trial	Fair outcome	The outcome compensated for the damage done	The outcome is worth it in terms of funds spent, time, etc.	The procedure negatively affects life
Very small extent	3	3	7	6	/
Small extent	2	2	/	/	/
Moderate extent	3	3	1	1	/
Large extent	1	/	/	/	8
Very large extent	1	/	/	/	8
They can not determine	12	1	1	2	6
Total	22	9	9	9	22

Table 13. Data on women who lead/have led this procedure

As for the 17 women who will still lead this procedure, we found that most (10) planned to conduct this procedure through the SWC because they were informed that it is an institution competent to act in cases of domestic violence. In addition, two of the women planned this because they were satisfied with previous experience with the SWC in this procedure, including the services for psychological support and temporary accommodation in a safe place, the so-called shelter. Regarding the other seven (7) women in this category, two (2) of them will conduct this procedure alone due to distrust of the institutions after reporting domestic violence. They plan that at the same time as submitting the proposal for TPM to the court they will request exemption from payment of court fees; otherwise, they assume that the total cost of this procedure would be 2,000 according to one or 30,000 MKD. according to the other woman.

The remaining five (5) women are still unable to determine which opportunity they will use to conduct the proceedings, so they do not know if they would ask the court to exempt them from court fees. Regarding the costs of the procedure and their negative impact on the standard of living, most (12) do not know if they would give up the procedure, two (2) would give up, and only three (3) would continue with this procedure until the end, marked by a court decision.

The research found higher expectations of the procedure among women that are yet to lead it. Specifically, seven (7) expected this procedure to be very fair, and six (6) expect a very fair outcome and that the outcome will be very valuable in terms of funds spent and time lost in conducting the procedure. In respect of all these questions, four or five women could not determine and the rest answered within the offered measures from very small to very large (Table 14).

Offered answers	Fair trial	Fair outcome	The outcome is worth it in terms of funds spent, time, etc.
Very small extent	1	1	1
Small extent	1	2	3
Moderate extent	2	1	1
Large extent	7	6	6
Very large extent	2	3	1
They can not determine	4	4	5
Total	17	17	17

Table 14. Data on women who will lead this procedure

B. DIVORCE

Divorce is one of the procedures that women are most interested in and are willing to pursue after suffering domestic violence. Some of the women divorce by agreement, and some with a lawsuit for broken relations in the marriage. It is characteristic of most women that they ask the court to decide on custody and payment of child support. This procedure includes payment of court fees for a lawsuit in the amount of 800 denars, an appeal fee in the amount of 1,600 denars, and a judgment fee in the amount of 800 denars, calculated from the basic value of the procedure, which is in the amount of 20,000 denars. The increase in court costs is characteristic of divorce proceedings and then there is a possibility for women to face costs incurred by the opposing party, such as the costs of submitting a court summons, setting up a temporary representative, and expertise to determine parental capacity for child custody. The cost of court expertise for determining parental capacity costs at least 8,000 denars, but can amount to 15,000 denars or even 30,000 denars.

From the aspect of exemption from court costs for the procedure, two possibilities are foreseen. One of these is through the Ministry of Justice envisaged as secondary free legal aid, including with legal representation at the prior request of the women. The other possibility is for the woman to conduct the procedure themselves and with the possibility of requesting from the court exemption from paying court costs if they do not have the money or do not have enough to pay for it.

The divorce procedure covers a total of 35 women, of whom 22 led or have led, and 13 women will still lead. This analysis finds that out of the two possibilities to conduct this procedure, most (28) women from both categories, ie 18 women who lead/led and 10 will lead were ready to manage this procedure on their own. The other possibility for this procedure through MoJ applies to only four (4) women from the category lead/led and no woman from the category will lead. Three (3) women could not determine which of the two possibilities they would use to conduct the procedure.

In addition, the lack of information among women about the possibility to receive free legal aid through the Ministry of Justice directly results in non-exercise of this right by women who have suffered domestic violence. Before initiating the procedure, all women in both categories knew about the possibility of conducting the procedure alone or hiring a lawyer, if they are financially able to pay for legal services. But most (22) of the women were uninformed about the possibility of conducting this procedure free of charge through the Ministry of Justice (Table 15). More informed about this possibility (10) were the women from the category who lead/conducted the procedure, unlike the other category in which only (3) women knew.

Answers from women	Procedure according to the provided possibilities				Total	
	Through MoJ		Women alone		Through MoJ	Women alone
	Lead / have led	Will lead	Lead / have led	Will lead		
Informed	10	3	22	13	13	35
Uninformed	12	10	/	/	22	/
Total	22	13	22	13	35	35

Table 15. Information on women about the possibilities for initiating this procedure

Only four (4) of the informed 10 women from the category lead/led used the opportunity to conduct this procedure through the MoJ. In fact, these women had previously estimated that they were unable to conduct the proceedings on their own because they did not have the money to pay court costs, two of them for fear of facing their violent spouse alone during the trial. Despite the low use of the right to free legal aid, the quality of the provided secondary legal aid is particularly worrying given that in practice, only one in 4 women was fully satisfied with the support provided by the MoJ in this procedure, while two were partially satisfied, and one woman was dissatisfied. The dissatisfaction of the three women arises from the services of the approved lawyer through the MoJ because the lawyer unjustifiably delayed the procedure; did not highlight other rights in this procedure (child support and unsecured spouse), and additionally for one woman because the lawyer accepted an agreement in this procedure without her consent. Such findings indicate insufficient sensitivity and familiarity of authorized lawyers with the needs of women who have suffered domestic violence. Hence, it is necessary to conduct additional analyzes to assess the quality of provided free legal aid and legal representation through the Ministry of Justice, as well as to organize training to strengthen the knowledge and skills of authorized lawyers for working with women who have suffered domestic violence.

As for the 18 women who decided to conduct this procedure on their own, some (12) were not informed about the possibility through the MoJ. Although the other six (6) women were informed about this, they still decided to conduct the procedure alone for several reasons, mostly due to the provision of free legal aid by CSOs (Table 16).

Presented reasons for conducting this procedure alone	Lead / have led
Urgency of a court decision	3
Ability to pay a lawyer	1
Free assistance from CSOs	5
Distrust in institutions	3
Lack of information about this procedure through MoJ	12

Table 16. Reasons for conducting this procedure by the women themselves who lead / have led this procedure

As for the women who will still lead this procedure, three (3) of them were informed about the possibility through the MoJ, and one did not know at all what is characteristic of this procedure in this way. Two women knew that it was necessary to submit a request to the regional offices of the MoJ for approval of secondary legal aid, which includes relief from total costs associated with the proceedings, including legal representation.

Of the ten women who plan to conduct this procedure on their own, seven (7) knew that in such a case it is necessary to institute a lawsuit to the court and two (2) knew about the need to submit documents required for this procedure. Additionally, only one woman knew that the characteristic of this procedure in this way is the payment of court costs and the possibility or need to hire a lawyer. We found that the readiness of 10 women to manage on their own to conduct this procedure, we found that arises from several reasons, mostly (7) due to distrust in institutions, but they had free assistance from civil society organizations, and fewer (3) because they did not meet the legal preconditions for free assistance through MoJ. Only one woman plans to conduct the proceedings on her own because she has the financial ability to hire a lawyer.

This analysis also covers the information of the 35 women from both categories regarding the court costs in this procedure before initiating it. The research found that more than half (13) of the 22 women who lead/conducted the procedure were informed before starting it about all types of court costs provided in this procedure. Fewer women who will still lead this procedure knew about this, ie only five (5) out of a total of 13 (Table 17). Two women from both categories did not know about any kind of court costs, ie. fees for lawsuits, appeals, judgments, and forensic examinations.

Types of court costs	Lead / have led	Will lead	Total
Lawsuit motion	3	6	9
Appeal	2	1	3
Verdict	2	3	5
Expertise/super expertise	/	/	/
They know about all kinds of court costs	13	5	18
They do not know	2	2	4

Table 17. Info of women about court fees and costs in this procedure

Also, most (17) of the category who were leading/conducting this procedure were more informed about the envisaged opportunity for women to request exemption from the court from all court costs in this procedure (Table 18). Most (8) of the 17 women who will conduct the procedure were less informed about this possibility. Three women were partially informed, ie did not know about the exemption from all expenses if they did not have the financial means to pay.

Awareness of exemption from court costs	Lead / have leaded	Will lead	Total
Lawsuit	3	1	4
Complaint	2		2
Judgment	2		2
Expertise/super expertise	/		/
For all stated above	17	5	22
They do not know	2	8	10

Table 18. Info of women about exemption from court fees and costs in this procedure

The informed women stated that they were informed about this procedure simultaneously from several sources, mostly (23) from civil society organizations and much less from other sources (Table 19). The received information was understood by 10 women, 17 understood partially until they understood only two (2) women.

Sources of information	Lead/have leaded	Will lead	Total
Institutions / SWC, police	2	2	4
GO	16	7	23
Relatives, friends	4	4	8
Lawyer	4	/	4
Experience from this procedure	2	1	3

Table 19. Sources of information on this procedure among women

Regarding the determined amount for each of the court costs in this procedure, we found different information on each type of court cost and based on the category of women. Most (24) of the women conducting such proceedings knew exactly how much was necessary to pay for the fees for lawsuits, judgments (22), and appeals (17). Very few women in both categories knew about the specific costs of forensic / special expertise. In fact, the exact amounts of court costs involved were largely unknown to the women who were yet to lead the proceedings (Table 20).

Data on amounts for types of court costs	Lawsuit motion (A)		Appeal (B)		Verdict (C)		Expertise (D)		Total procedures by category			
	1	2	1	2	1	2	1	2	A	B	C	D
800/1.600/800/8.000	17	7	14	3	17	5	3	3	24	17	22	6
Up to 30.000	/	/	/	/	/	/	3	1	/	/	/	4
Women do not know the exact amount	3	2	2	2	2	1	8	1	5	4	3	9
They do not know	2	4	6	8	3	7	8	8	6	14	10	16
Total	22	13	22	13	22	13	22	13	35	35	35	35

Table 20. Information on women about the amount of court fees and costs in the divorce procedure (1 indicates the women who lead / led, and 2 those who will lead such a procedure)

The research found varying information from women about the necessary funds for payment of legal representation for one court hearing with stated amounts between 3,000 and 8,000 MKD. The amount of 6000 MKD is most common (named by 9 of the women), with the same number of women (9) who could not guess how much this cost is (Table 21).

Amounts	Lead/have led	Will lead	Total
3.000 MKD	2		2
4.000 MKD	2		2
5.000 MKD	2	2	4
6.000 MKD	6	3	9
7.000 MKD	3	3	6
8.000 MKD	3		3
They do not know	4	5	9
Total	22	13	35

Table 21. Information that women have about the costs of a lawyer's representation

Fin terms of estimated costs for this procedure, this analysis found that most women did not know before initiating this procedure that if they fail in this procedure, the court could charge them with costs for a lawyer on the opposing side. Only four (4) women knew about this possibility, out of whomh three (3) lead/led this procedure and one will lead it. One woman from both categories stated that there is no such possibility even in case of failure in this procedure.

Regarding the real ability of women to pay for any kind of costs, we found that the biggest financial burden is the costs of forensic expertise that can not be paid by 24 women from both

categories. In fact, most (25) of the women have the financial means to pay a lawsuit fee in the amount of MKD 800, and fewer (15) can pay the costs for both an appeal (1600 MKD) and a court decision (800 MKD). (Table 22).

Data from women	Lawsuit motion (A)		Appeal (B)		Verdict (C)		Expertise (D)		Total procedures by category			
	1	2	1	2	1	2	1	2	A	B	C	D
800/1.600/800/8.000	15	9	9	6	9	6	2	2	24	15	15	4
They can not pay	7	2	11	3	11	3	16	8	9	14	14	24
They can not determine	/	2	2	4	2	4	4	3	/	6	6	7
Total	22	13	22	13	22	13	22	13	35	35	35	35

Table 22. Financial ability of women to pay court fees and costs in this procedure

The research found that most (22) of the women did not have the financial means to pay for a lawyer, and a woman who would lead the procedure was unable to say if she did. Few (12) of women had the financial means to set aside limited funds to pay for services from a lawyer (Table 23). Namely, the real financial possibilities of the 12 women were in the amount of 2,000 up to a maximum of 6,000 MKD, and a maximum of five (5) were able to pay up to 3,000 MKD for legal representation (Table 23).

Data from women	Lead/have led	Will lead	Total
2.000 MKD	1	1	2
3.000 MKD	1	4	5
4.000 MKD	1		1
5.000 MKD	2		2
6.000 MKD	1	1	2
They can not pay	16	6	22
They can not determine		1	1
Total	22	13	35

Table 23. Women's financial ability to pay for legal representation

The analysis also covers the individual costs paid by women who have already completed the divorce proceedings (13), according to the manner of conducting the proceedings. Thereby, the costs of 6 women who conducted the procedure themselves without requesting exemption from court costs were covered; 5 women were exempted from court costs by the court; while 2 women conducted the procedure with approved secondary legal aid (including legal representation) by the

MoJ. The following types of costs were subject to assessment: lawsuit fees; appeal fees; judgment fees; administrative fees; costs for publishing a court notice; delivery of a court summons through an enforcement agent; payment of a temporary representative on the opposing side; as well as the cost of a lawyer.

In general, the amount of costs incurred by women depends on the opportunity used and the manner of conducting the proceedings, ie whether the women conducted the proceedings alone, sought relief from the court or conducted the proceedings through the MoJ. In the most unfavorable position, ie the highest costs for the divorce procedure were paid by the women who did not use the exemption from court costs, and at the same time hired their own lawyer during the procedure (4). Three of these women paid between 18,000 and 25,000, while one woman who was obliged to bear all the costs herself paid as much as 72,000 denars in the divorce proceedings. Women who conducted the proceedings themselves and were exempted from paying court costs had no costs at all, but this situation is due to the fact that additional costs were required in none of these proceedings for expertise or payment of a temporary representative for the opposing party (Table 24).

Manner of initiating the procedure	Costs in MKD
Alone with exemption by court (5 women)	0
	0
	0
	0
	0
Alone without exemption (6 women)	800
	72.000
	25.000
	18.000
	18.000
	800
Via MoJ (2 women)	1.000
	0

Table 24. Individual costs of women versus the way the procedure is conducted

Namely, some of the women who conduct the procedure by themselves, even those who were exempted from court costs, may be obliged to pay in advance the costs of a temporary representative due to the absence of the opposing party, as opposed to women for whom secondary legal aid was granted through MP who are exempt from all costs in the procedure. It is worrying that despite the need for free legal aid for women who have suffered domestic violence, this practice has a particularly negative impact on their financial ability and determination to lead the proceedings in general. Due to this, it is necessary to harmonize the provisions of the Law on Civil Procedure with the Law on Free Legal Aid, ie women who have suffered domestic violence should be exempt from all costs in the procedure.

From the point of view of the women (13) who are yet to lead the procedure, most (8) did not know if they would seek exemption from court costs, four (4) would seek exemption from all costs and only one would not ask because she did not meet the legal requirements. Regarding the necessary funds for conducting this procedure, we found that four (4) assumed that it would cost 30,000 MKD, while for the other four (4) the estimate was in the amount of 800, 20,000, 40,000, and 50,000 MKD respectively. The other five (5) women could not estimate the necessary funds until the completion of this procedure.

This analysis finds that the procedure conducted by the 18 women alone, more precisely seven (7) of them with a lawyer, was completed for 11 of whom only one (1) was ordered by the court to pay the total court costs due to the absence of the opposing party. Of the remaining 10, one half (5) of the women paid the court costs equally with the opposing party, while in the other half (5) only the opposing party paid (Table 25).

Payment of total costs according to a court decision	No.
The woman alone	1
Equally with the opposing side	5
Only the opposing side	5
The procedure is ongoing	7
Total	18

Table 25. Payment of the total court costs in the procedures for women who lead/have leded the procedure alone

The payment of court costs in this procedure had no impact on the standard of living of most (11) women, while in five (5) it was partially changed, and in two (2) their livelihood was endangered. However, none of the women, in the face of paying the costs, gave up the divorce proceedings.

Of the women who are still going through this procedure, five (5) did not know how much the divorce procedure would cost in total, four women expected costs up to MKD 30,000, while the others assumed that MKD 800; 20,000; 40,000 and 50,000 MKD respectively was needed. If payment of court costs would result in a change to the standard of non-residence of women, two (2) would give up, and seven (7) will not give up while four (4) did not know if they would continue to conduct the procedure until a court decision is obtained.

For this analysis, data were collected from women about the experiences or expectations from the court procedure, with responses to the questions ranked from very small, medium, very, very large, and can not determine.

The general conclusion is that the divorce procedure, in addition to the domestic violence itself, has a large negative impact on the condition of women, ie it causes additional emotional

stress. Each of the 22 women who lead or have completed the procedure, during the trial, experienced stress that for nine (9) women was very, very large and for three average. Most of the women (10), despite the gained court experience, could not determine whether the procedure and outcome were fair. Also, most, ie 14 women could not determine how much the outcome compensated for the damage caused by the problem, and 10 could not determine how much the outcome was worth it in terms of funds spent, time, and stress experienced in the procedure. According to the women, the procedure had a negative impact on their lives, for most to a very large extent for (8) and many for seven (7) women (Table 26).

Offered answers	Experience stress	Fair trial	Fair outcome	The outcome comensated the damage done	The outcome is worth it in terms of funds spent, time, etc.	The procedure negatively affects life
Very small extent		2	2	3	3	
Small extent		2	2	2	1	1
Moderate extent	3	6	5	1	4	2
Large extent	9	3	3	2	4	7
Very large extent	9					8
They can not determine		10	10	14	10	3
Total	22	22	22	22	22	22

Table 26: Data on women that lead/have led this procedure

Most of the women who will still lead the procedure expected a very fair court procedure and outcome which would have been worth a lot in terms of the funds spent, abd lost time for conducting the procedure. This finding indicates that women who have suffered domestic violence have higher expectations before initiating divorce proceedings, ie they expect fairer proceedings and a nire positive outcome, compared to women who are already conducting or have conducted this type of proceedings. Data on this from other women are ranked as average for one, and very large [for how many?]. Two women can not determine whether it will be a fair procedure and one of them cannot determine whether there will be a fair outcome and its value in terms of funds spent and time for the procedure (Table 27).

Offered answers	Fair trial	Fair outcome	The outcome is worth it in terms of funds spent, time, etc.
Moderate extent	1	1	1
Large extent	8	9	9
Very large extent	2	2	2
They can not determine	2	1	1
Total	13	13	13

Table 27. Data on women who will lead this procedure

C. DIVISION OF PROPERTY IN WHICH THE OWNERSHIP IS NOT DISPUTED

Women who have suffered domestic violence need to conduct a procedure to determine the right to property acquired in a marital or extramarital union. In order to solve the problem, it is necessary to pay timeous court fees for a proposal in the amount of 480 denars, for an appeal 960 denars and for a decision in the amount of 480 denars. The procedure also includes court costs for inspection by the court in the amount of 1,400 MKD and costs for a surveyor in the amount of 3,520 and 8,310 MKD respectively.

The procedure on this legal basis includes a total of 16 women, of which seven (7) are conducting/conducted the procedure and nine (9) are yet to conduct it. The women knew about the possibility to conduct the procedure alone, the envisaged possibility to conduct the procedure free of charge through the Ministry of Justice was known to only nine (9) of the women, while seven (7) women were not informed about this (Table 28).

Answers from women	Through MoJ		Women alone		Total	
	Lead /have leded	Will lead	Lead/have leded	Will lead	Through MoJ	Women alone
They know	5	4	7	9	9	16
They do not know	2	5	/	/	7	/
Total	7	9	7	9	16	16

Table 28. Informing women about the possibilities for conducting the procedure (through MoJ or alone)

Out of the i (9) women informed about this procedure through MoJ, only four (4) women were ready to use this opportunity, and only one woman from the category leads/led and three (3) of those will still lead this procedure. A total of 12 of the women were ready to conduct this procedure alone, ie six (6) women from both categories.

In fact, for the 7 women in the category lead/lead, we found that out of the five (5) women informed about this procedure through the MoJ, only one decided to utilise the right to free legal aid, including through legal representation through the MoJ. The reason for this was that she was not able to pay for court costs, she was legally ignorant of the procedure and at the same time, she was afraid to face the perpetrator alone during the trial. The other four (4), although informed, still decided to conduct this procedure on their own, due to distrust of the institutions, but also because they had free legal aid from civil society organizations for this procedure. Only one of the women considered that she did not meet the legal preconditions for conducting the procedure through the MoJ.

As for the 9 women who will still lead this procedure, of the 4 informed about this procedure through the MoJ, all knew about exercising this right through a request to the regional offices of

the MoJ, and additionally two (2) knew about free legal representation. However, only two (2) were willing to use this opportunity because they had no money to pay court costs. The other two (2) could not determine which option they would use, while five (5) planned to conduct the procedure alone. This decision was made due to the necessary urgency of the procedure, free legal aid from CSOs, and three of them (3) due to distrust in the institutions. Only one woman planned to take the case to a lawyer.

This analysis finds that before initiating this procedure, most women were aware of several aspects of this procedure. Regarding the information on the types of court fees involved in this procedure, most nine (9) knew about all court fees. The other six (6) were partially informed, ie most of them knew about the costs of the lawsuit, but fewer of them knew about the necessary costs for decision, inspection, and surveyor and least knew about costs for the appeal. Only one woman who was yet to conduct the proceedings did not know of any of the court fees in the proceedings (Table 29). All women who have conducted/are conducting a procedure have been informed about the possibility to seek relief from the court for all court costs if they conduct the procedure themselves (9), as opposed to three (3) women, who will conduct the procedure, while two (2) of the women were partially informed and four (4) were not aware of this possibility (Table 29).

Data on women	Types of court fees (A)		Exemption from costs (B)		Total	
	Lead / have leded	Will lead	Lead / have leded	Will lead	A	B
Lawsuit motion	2	4	1	2	6	3
Appeal	/	1	/	2	1	2
Verdict	2	1	1	2	3	3
Inspection	2	2	1	1	4	2
Geodesy expertise	/	/	/	/	/	/
They know about all above stated	5	4	6	3	9	9
They do not know	/	1	/	4	/	4

Table 29. Information of women about the types of court fees and the possibility of exemption from costs through the court

The possibility of borrowing total court costs, including for a lawyer on the opposing side if they fail in this procedure, was known to half of the women, ie eight (8). Only one woman who conducted the procedure and six (6) of the women who will lead it did not know about this. Women informed about this procedure were informed from several sources, but mostly from civil society organizations (Table 30). The received information was not understood by only two (2) of the women, while of the other (12), half understood and the other half partially understood.

Sources of information	Lead / have leded	Will lead	Total
Institutions/court, CSW	/	3	3
GO	6	7	13
Lawyer	2	1	3
Personal experience	1	2	3

Table 30. Sources of information on this procedure among women

Regarding the prescribed amount of court fees provided in this procedure, most (10) of the women knew the exact amount of the fee for the proposal, fewer (8) for the court decision and court inspection, and at least (7) knew about the appeal and one of the two the prescribed amounts for a surveyor (Table 30). In fact, most of the women did not know how much it cost for a surveyor (9) and (5) to inspect the court (Table 31).

Data on the amounts for the types of court fees	Data on the amounts for the types of court fees		Data on the amounts for the types of court fees		Data on the amounts for the types of court fees		Data on the amounts for the types of court fees		Data on the amounts for the types of court fees		Data on the amounts for the types of court fees				
	1	2	1	2	1	2	1	2	1	2	A	B	C	D	E
480 MKD	6	4			5	3					10		8		
960 MKD			4	3								7			
1.400 MKD							6	2						8	
3.520 MKD									2	2					4
Up to 8.310 MKD									2	1					3
They do not know	1	3	2	4	1	/	1	4	3	6	4	6	1	5	9
They do not know the exact amount		2	1	2	1	6		3	/	/	2	3	7	3	/
Total	7	9	7	9	7	9	7	9	7	9	16	16	16	16	16

Table 31. Info of women about the number of court fees and costs in the divorce procedure (1 indicates the women who lead / leded, and those who will lead such a procedure)

Women were differently informed about lawyer costs and most (7) estimated that such costs were up to 5,000; three (3) stated up to 8000 and four (4) stated amounts of 4000; 6000; 7000 and

9.000 MKD respectively. Only two women could not guess how much a lawyer's representation costs.

This analysis also covers the real financial possibilities of women to pay costs related to this procedure with the finding that no woman is able to pay for all prescribed costs for this procedure. Namely, most (14) could pay the fee for the proposal and fewer could pay for the other court fees and costs involved in this procedure. The biggest financial burden for most (11) women was the prescribed costs for a surveyor in the amount of 3520 and 8310 MKD. Two (2) women could not pay for this type of expense (Table 32).

Answers from women	Motion fee (A)		Appeal fee (B)		Verdict fee (C)		Inspection fee (D)		Geodesy expertise fee (E)		Total procedures by category				
	1	2	1	2	1	2	1	2	1	2	A	B	C	D	E
480 MKD	6	8			4	5					14		9		
960 MKD			3	5								8			
1.400 MKD							3	4						7	3
3.520 MKD									1	2					3
They can not pay	1	1	3	3	3	2	4	5	5	6	2	6	5	9	11
They can not determine			1	2		2			1	1	/	3	2	/	2
Total	7	9	7	9	7	9	7	9	7	9	16	16	16	16	16

Table 32. Financial ability for women to pay court costs in this procedure

Also, most (12) of the women did not really have the financial means to pay for legal representation and one woman could not estimate the cost. Only three (3) women could allocate limited funds for a lawyer, one only in the amount of up to 3,000 and two (2) up to 4,000 MKD for representation in a court hearing.

This analysis finds that the envisaged opportunities for exemption from court costs were used slightly, ie three (3) of the total of 7 women who initiated this procedure. Out of the 3 women, one utilised the possibility of exemption from costs through MoJ, and of the other six (6) who conducted the procedure alone, only two (2) asked the court to exempt them from all court costs. The other four (4) did not request exemption from court costs due to urgency in this procedure, but at the same time, they had free legal aid from CSOs to conduct this procedure. During the procedure, three (3) women faced payment of additional costs in addition to the foreseen costs, of whom one, despite conducting the procedure through the MoJ, had administrative and notary costs for documents required in this procedure in the amount of up to 1500 MKD. while the other two (2) who conducted the procedure themselves, faced additional costs for administrative fees for issuing documents required for the procedure, service of a court summons and a temporary ban on the sale of a property. Of the women, only one was represented

by a lawyer in this procedure and paid 5,000 MKD for one appearance. We found that for initiating this procedure, the women faced costs that were in the amount of 600 to 15,000 MKD. (Table 33).

Amounts spent by women	No.
600 MKD	1
1.500 MKD	1
2.000 MKD	3
6.000 MKD	1
15.000 MKD	1
Total	7

Table 33. Funds spent by women which lead/have led this procedure

Due to the payment of costs for the procedure, out of the 7 women, the standard of living of five (5) was partially changed, and the existence of one woman was endangered, due to which she gave up conducting the procedure. This procedure was still being conducted for five (5) women and was completed for two (2). Of these, in line with the court decision, one paid for the total court costs and the other paid equally with the opposing party.

Regarding the costs in this procedure, the analysis also includes the women who will still lead this procedure, of whom some (4) could not estimate the necessary funds, and others (5) thought that this procedure would cost from 20,000 to 50,000 MKD. (Table 34). Only two out of 9 women could pay for lawyers' services in the amount of 3000 and 5000 MKD. If the expenses would change their standard of living, four (4) would give up, three (3) do not know and only two (2) of the women do not.

If the 9 women conduct the procedure alone, three (3) of them would ask the court for exemption from all costs, three (3) do not know and three (4) would not ask because they did not meet the legal requirements.

Amount of funds needed	No.
20.000 MKD	2
30.000 MKD	1
40.000 MKD	1
50.000 MKD	1
They do not know	4
Total	9

Table 34. Amount of funds needed for this procedure according to the women who will lead this procedure

The research collected data from women on the experiences gained or expectations from the procedure with the possible answers being a very small measure, a little, medium, very, very large, and can not determine.

All women who lead or have conducted (7) property division proceedings experienced stress as a result of the process itself, usually to a very large or large extent. Only two (2) of the women for whom this procedure was completed declared the court procedure was fair, for one of whom it was moderately fair and for the other very fair, and equally considered that the outcome was moderately fair and that the outcome compensated for the damage from the problem. These women considered the outcome to be on average or very worth it in terms of the funds spent taking into account that one paid the total costs herself while the other paid equally with the opposing party.

The other five (5) could not determine all this because one of them gave up the procedure and it was still being conducted for four (4) women. However, regardless of the stage of the procedure, it had a negative impact on everyone, to a large extent for most (6) and an indeterminate amount for one woman (Table 35).

Offered answers	Experience stress	Fair trial	Fair outcome	The outcome compensated for the damage done	The outcome is worth in terms of funds spent, time, etc.	The procedure negatively affects life
Moderate extent		1	2	2	1	
Large extent	2				1	1
Very large extent	5	1				6
They can not determine		5	5	5	5	
Total	7	7	7	7	7	7

Table 35. Data on women which lead/have led this procedure

This analysis found that the women who would still lead this procedure had different expectations, ie one third expected a fair amount from the court procedure, a fair outcome and the outcome would be worth a lot in terms of the funds spent and time lost for conducting this procedure. For this the responses of the other women were ranked as very, medium and to a very small extent (Table 36).

Offered answers	Fair trial	Fair outcome	The outcome is worth it in terms of funds spent, time, etc.
Very small extent	1	1	1
Small extent	1	1	1
Moderate extent	2	2	3
Large extent	2	2	1
Very large extent	3	3	3
Total	9	9	9

Table 36. Data on the women who will lead this procedure

D. DIVISION OF PROPERTY WHERE OWNERSHIP IS DISPUTED

Many women who have suffered domestic violence, despite their willingness to seek redress for recognizing ownership of jointly acquired property, face limited access to this procedure. This is due to the high court fees and costs involved in the proceedings despite the legal innovations for reduced court fees. Due to this, this procedure is characterized as one of the most expensive procedures in the civil legal system. This means that women, in order to initiate a procedure, depending on the value of the property, need to pay a lawsuit fee in the amount of up to 6,000 denars, an appeal fee of up to 12,000 denars, and a judgment fee of up to 6,000 denars. Additional costs are envisaged for this procedure, such as an inspection by the court in the amount of MKD 1,400 and costs for a surveyor between MKD 3,520 and MKD 8,310.

This procedure is being conducted by only three (3) women, while none of the women that intend to resolve their legal problems do not plan to initiate this procedure.

The research found that out of the three women, before initiating this procedure, two were informed about the possibility to conduct this procedure through the Ministry of Justice. This opportunity was used by only one of those informed because she could not pay court costs and was unaware of the documents required for this procedure. In fact, the procedure was conducted by two women, one of whom was uninformed about the procedure through the MoJ, while the other, although informed, did not use this opportunity due to the urgent need for the procedure and the financial possibility of paying a lawyer of her choice.

Before initiating this procedure, of the three women were informed about the court fees, more precisely two knew about all types of court fees and costs and one knew only about the lawsuit, appeal and decision but did not know about the costs for court inspection and surveyor. One of the two women who conducted the proceedings alone was not informed about the possibility of exemption from all court costs through a request to the court, and both did not know about the possibility for the court to oblige them to reimburse the total costs, including a lawyer for the opposing party if they failed in this procedure. Only the woman who conducted this procedure

through the MOJ knew about this. The women were informed about this procedure by the CSOs and a lawyer, but all of them understood only partially.

The research found that the woman who leads this procedure through the MoJ was informed about the prescribed amounts for all court fees and costs in this procedure. One of the two women who conducted this procedure alone did not know exactly how much any of the court fees cost, while the other knew that the lawsuit and verdict fee cost up to 6,000 MKD; insight from the court 1400 and the higher amount for a surveyor up to 8310 MKD, but she did not know about the exact amount for appeal and the lower amount for a surveyor from 3520 MKD. Regarding the costs for legal representation, the women considered that it was necessary to allocate 3000, 6000 and 7000 MKD respectively for a court hearing.

Regarding the real financial possibilities of the women paying court costs, we found that the woman who is conducting this procedure through MoJ could not pay, while the other two could not determine financial possibilities because they had financial assistance, one woman from the parents, the other from a friend.

This analysis found that only the woman who leads through the MoJ had no costs for this procedure. She was only partially satisfied with the support provided by the MoJ because this procedure is unjustifiably delayed due to the fault of the lawyer approved by the MoJ. The need for an in-depth analysis of the quality of approved secondary legal aid and representation by authorized lawyers, based on the experience and opinions of women who have suffered domestic violence, is re-emerging. One of the two women who conducted the procedure themselves was faced with paying additional costs in addition to the costs for the submission of a court summons and a temporary measure/ban on the alienation of the property until the end of the procedure. Both women were represented by a lawyer and paid 3,000 MKD each for the representation.

This procedure was completed for only one woman for whom the court ultimately decided each party pay its own costs incurred in this procedure. This woman faced a total of 27,000 MKD. due to which her existence was endangered. For the other woman, the first instance verdict was not final because the opposing party appealed. Up to this stage of the procedure, she paid around MKD 100,000 for court and lawyer costs, noting that this procedure was initiated before the legal provisions for reducing court fees for lawsuits, appeals and judgments came into force. It is expected that such expenses endangered the woman's existence despite the constant financial support of her friend employed in Germany.

This analysis finds that all three women experienced a great deal of stress from conducting this procedure. Only the woman for whom the procedure was completed considered that the mediated court procedure was fair, while the achieved outcome and the extent to which the outcome compensated for the damage done was average. Also, the outcome was deemed average in relation to the funds spent for conducting this procedure. For all this, the other two women could not determine because for them the procedure was not completed. This procedure had a very negative impact on the lives of one and the other two to a very large extent (Table 37).

Offered answers	Experience stress	Fair trial	Fair outcome	The outcome compensated for the damage done	The outcome is worth in terms of funds spent, time, etc.	The procedure negatively affects life
Moderate extent		1	1	1	1	
Large extent						1
Very large extent	3					2
They can not determine		2	2	2	2	
Total	3	3	3	3	3	3

Table 37. Data on women who lead/have led this procedure

E. CHILD SUPPORT PROCEDURE

Many women lead procedures for child support or change of the child support, which was assigned to their former spouses or extramarital partners. In these proceedings, women may face court costs that are prescribed on the basis of the amount of child support required for a period of three months. For example, if the total requested support for three months exceeds 15,000 denars, then the basic value of the procedure is 20,000 denars, which means that the court fee for a lawsuit is 800 denars, for an appeal 1,600 denars and the verdict fee is 800 denars.

A total of six (6) women are involved in the procedure on this legal basis, of whom four (4) lead or have led and two (2) will still lead.

The fact that all women conducted this procedure, ie planned to conduct it alone, is noteworthy, although four (4) of them were informed about the possibility of conducting this procedure through the MoJ. The informed women (three led this procedure and one will lead it) decided to conduct this procedure themselves due to distrust in institutions and free assistance provided by CSOs, and additionally one due to the urgency of this procedure. The two uninformed women knew about the possibility of doing it through the MoJ, and that if they conducted the procedure alone they would need to submit material evidence necessary for the procedure, and payment of court costs. One also knew about submitting a written submission with a lawsuit to court.

Before initiating this procedure, the women were informed about all the foreseen types of court fees and about the precisely prescribed amounts for each of the fees separately and they knew about the possibility of exemption from paying costs through a request to the court. The exception to all this was only one woman who would still lead the proceedings who knew only about the fee for the lawsuit and the verdict and only about those to seek release from the court. Only this woman knew incorrectly how much she needed to pay for a lawsuit, appeal, and verdict. Regarding the costs for legal representation, the women stated several amounts, two women 2,000 and 3,000; two women 5,000 and two women 6.000 MKD for a court hearing.

This analysis also covered the financial opportunities of women to pay court fees, with the conclusion that the established court costs were out of reach for the women who are leading/conducted this procedure. Specifically, all (4) could pay 800 for a lawsuit but only three (3) could pay 800 for a judgment and two (2) could pay MKD 1,600 for an appeal. As for the two women who will still lead the proceedings, we found that the amounts set for court fees were acceptable to them and they could pay for all the costs, but still one of them plans to seek relief from the court for all court costs. Only one of the women conducting the procedure applied for cost relief. The others did not request due to the urgency of the procedure but were informed that they did not meet legal requirements. However, all four (4) women had free legal aid from CSOs for this procedure.

Most (4) of the women were aware in case of failure in the procedure about the possibility of borrowing from the court with total court costs including a lawyer on the opposing side. They did not remember whether two (2) of the women who lead/conducted this procedure were aware of this. All women were informed about this procedure by CSOs and two who will still lead this procedure from the court. The received information was understood by five and partially understood by one woman.

This analysis concludes that none of the 4 women who lead/conducted this procedure faced additional costs in addition to those provided. Only one of them conducted this procedure with a lawyer and paid 3,000 MKD for each court hearing and only she completed the procedure with a total of 20,000 MKD which was eventually reimbursed by the opposing party in accordance with the court decision. T this woman's living standards were partially changed due to payment of expenses.

The necessary funds for conducting this procedure, according to the two women who will still conduct it, were stated to be 10,000 and 20,000 MKD, but both of them would give up this procedure if the payment of expenses endangers their standard of living. Neither of the two women had the financial means to pay for the proceedings with a lawyer.

This analysis also covers the experiences or expectations of women from solving the problem in this procedure with possible answers offered being very little, little, medium, very, very large and can not determine.

The research found that the stress experienced by women for three was moderate and for one a lot. Two of the women did not find the court proceedings fair while two considered it moderately fair. Only one woman for whom the procedure was completed considered that the outcome of the procedure was fair and compensated for the damage on average, and the result achieved on average was worth the funds spent for conducting the procedure. As expected, the other three could not determine this because they did not complete the procedure. The procedure had a negative impact on women, a lot for one and medium for three (Table 38).

Offered answers	Experience stress	Fair trial	Fair outcome	The outcome compensated for the damage done	The outcome is worth it in terms of funds spent, time, etc.	The procedure negatively affects life
Moderate extent	3	2	1	1	1	3
Large extent	1					1
They can not determine		2	3	3	3	
Total	4	4	4	4	4	4

Table 38. Data on women that lead/have led this procedure

The two women who were yet to conduct the proceedings had very little and average expectation of a fair trial, a fair outcome and the value of the outcome in relation to the funds spent and time lost in conducting the proceedings.

F. CUSTODY PROCEDURE

This procedure is one of the most important for women aiming for court resolution of the problem of entrusting the custody of children from the marital or extramarital union. The basic value of this procedure is prescribed in the amount of 20,000 MKD, which means that in order to initiate a procedure before a court women need to pay a lawsuit fee in the amount of 800 denars, an appeal fee of 1,600 denars, and a judgment fee in the amount of 800 denars. Depending on the needs, this procedure may include additional costs for psychiatric expertise for parental assistance, which can be in the amount of 8,000, 10,000, and 30,000 denars for special expertise.

There are five (5) procedures on this legal basis in the research, of which two women (2) lead/had led this procedure, while three women will lead this procedure.

In this analysis we determined that a total of three (3) women were informed about the possibility of conducting this procedure through the MoJ and two women from each of the two categories did not know about this. The fact that all these women were conducting this procedure and will lead it alone, including the informed three (3) who knew about this procedure through the MoJ, is significant. This decision was made by the women due to the urgency of a court decision for this procedure, but at the same time, all of them had received free assistance from CSOs. In addition to the stated reasons for conducting this procedure, an additional woman who would still conduct this procedure had the opportunity to pay for legal services from a lawyer.

We found that the women were informed about the court fees involved in this procedure. Only one woman who was yet to lead the proceedings knew only about the lawsuit but did not know about the appeal, the verdict, and the court expertise. She also did not know about the possibility

of paying total court costs, including for the lawyer of the opposing party in case of failure in the procedure.

All women were informed before the proceedings about the possibility of seeking exemption from court costs if they were unable to pay. The women were informed about this procedure by the CSOs and one also by the SWC. The information received was understood by two and three understood in part.

In the area of established costs in this procedure, we found that the women were informed about the exact amount of court fees for lawsuits, appeals, and judgments before initiating it. The two prescribed amounts for the expertise and special expertise were known by the two women who conducted the procedure and of the women who will lead, one did not know and two did not know the exact amount (Table 39).

Answers from women	Lawsuit fee (A)		Appeal fee (B)		Verdict fee (C)		Expertise costs (D)		Total procedures by category			
	1	2	1	2	1	2	1	2	A	B	C	D
800	2	3			2	3			5		5	
1.600			2	3						5		
At least 8.000							1					1
Up to 30.000							1					1
They can not determine								1				2
They did not know the exact amount								2				
Total	2	3	2	3	2	3	2	3	5	5	5	5

Table 39. The level of Information of the women on the amount of court fees and costs in this procedure

Regarding the necessary funds for representation by a lawyer, according to three (3) of the women, they considered that such a cost is at most 6,000 MKD, while two (2) of 3,000 and 7,000 MKD for one court hearing.

This analysis also included the real financial possibilities of women to pay court fees and costs. The conclusion is that all (5) women were able to pay 800 MKD for a lawsuit fee, while fewer than 3 of them could pay 1.600 MKD for an appeal and 800 MKD for a verdict. The biggest burden for women is the cost of expertise and for this most can not pay (4) and only one could pay 8.000 MKD (table 40).

Answers from women	Lawsuit motion fee (A)		Appeal fee (B)		Verdict fee (C)		Expertise costs (D)		Total procedures by category			
	1	2	1	2	1	2	1	2	A	B	C	D
800 MKD	2	3			1	2			5		3	
1.600 MKD			1	2						3		
Up to 8.000 MKD							1					1
They can not pay			1	1	1	1	2	2		2	2	4
Total	2	3	2	3	2	3	2	3	5	5	5	5

Table 40. Financial ability of women to pay court costs in this procedure

Of the two categories of women, only two who will lead this procedure could pay for legal representation but only in the amount of up to 2000 MKD or up to 4000 MKD for representation in a single court hearing.

The research finds that despite the plan, neither of the two women who started the procedure faced additional costs. These women did not have a lawyer in this procedure and of them, only one requested and was released from the court from paying for a lawsuit, appeal and verdict. Only one of the two women paid 800 MKD for initiating this procedure for a lawsuit and due to this cost, her living standard was not changed. This procedure was not completed for any of the women.

Of the women who will lead the procedure, only one thought that 3,000 MKD was needed for a court ruling on this procedure. All three who plan to lead the proceedings will give up before it is over in the event that court costs jeopardize their standard of living.

This analysis found that two women who lead this procedure experienced a lot of stress while for the other it was to a great extent. For women, the finding that they could not say whether it was a fair trial, fair outcome as well as whether the outcome compensated in value for the damage done in terms of the funds spent because for them the procedure was not completed. This procedure had a very negative impact on both women.

The women who will still lead this procedure all largely expect fairness from the court procedure and the achieved outcome. They also expect that the outcome would be worth a lot, ie average in terms of funds spent and time lost for this procedure.

G. PROCEDURE FOR EVICTION FROM THE FAMILY HOME

Women often face the problem of evicting their spouse or extramarital partner from the home that is in their personal ownership. For court protection of the right to personal property, women in the procedure may face the payment of court fees for a lawsuit in the amount of 1,200 denars, for an appeal 2,400 MKD and for a judgment in the amount of 1,200 MKD, calculated on the basis of the value of the procedure which amounts to 40,000 MKD.

The analysis of the procedure on this legal basis covers only four (4) women who will still conduct the procedure and the procedure is not led by any woman in the category conducting procedures. Only one of the 4 women knew about the possibility to conduct this procedure through the MoJ and that for this route it is necessary to submit a request for approval of free legal aid to the regional offices of the MoJ. In terms of the characteristics of this procedure, if the women lead it alone, everyone knew about the need to submit material evidence while three (3) considered it necessary to hire a lawyer for the procedure. Only one woman stated that the payment of court costs is characteristic of conducting the procedure if she leads it alone.

The women were familiar with all types of court fees involved in the proceedings with the exception of one who knew only about the lawsuit but not about the appeal and the verdict. Out of the 4 women, only two knew about the possibility of asking the court to release them from all court costs. In case of failure in the procedure, three women did not know about the possibility of the court making them liable for total costs, including a lawyer on the opposing side. One woman felt that there was no such possibility of this.

Three women received information about this procedure from CSOs and one from the court, lawyer, and friends. Two women understood the information while some did not understand what it was about.

Regarding the precisely prescribed amounts for all court fees, only one was informed while two did not know the exact amounts and one woman could not guess how much the court fees cost in this procedure. In terms of the cost of representation by a lawyer, two estimated it at MKD 6,000 and the other two at MKD 4,000 and MKD 5,000. Two women planned to apply to the court for relief from all costs in this procedure and two did not know if they would use this opportunity.

Regarding the financial possibilities of women to pay expenses, we found that none of them was able to pay for all the fees provided. For this, one could not determine her financial capabilities while one could not pay for any of the court fees involved. The other two women could pay 1200 MKD for a lawsuit but could not pay up to 2400 MKD for an appeal, and one could not pay 1200 MKD for a verdict.

Only one of the women could set aside funds for a lawyer, up to a maximum of MKD 3,000 for single but not more representation and one could not determine real financial possibilities. Two women could not guess the total funds needed for this procedure until a court decision was made, and one thought that the total cost would reach 30,000 MKD. Only the woman who planned to lead the proceedings through the MoJ felt that she would not face any costs.

The research found that even if the payment of court costs changes their standard of living, none of them will give up the procedure until it ends with a court decision.

This analysis concludes that in terms of the envisaged possibility for conducting the procedure free of charge and with a lawyer through the MoJ, only one of the women would use this to be exempted from paying for total court costs. Due to the urgency of the court decision, two women plan to conduct the procedure alone but at the same time with free assistance from the CSOs and will ask the court to release them from all court costs. One woman did not know what opportunity she would use to conduct the proceedings.

Among the women who are still conducting this procedure everyone expects that the court procedure and the outcome will be fair to a very large extent. Also, three of the women expect that the outcome achieved by this procedure in terms of funds spent and lost time for conducting the procedure will be very much worth it. One woman could not determine this.

H. COLLECTED DATA ON OTHER ASPECTS

Approximately half (21) of the women knew about all the necessary documents for exemption from court costs through the court with the majority (16) being women who lead or led proceedings. A small proportion (8) of the women did not know about any of the necessary documents for exemption from paying expenses through a request to a competent court. Of the two categories of women, the women who are yet to conduct proceedings were less likely to be informed (Table 41).

Required documents	Lead/have led	Will lead	Total
Proof of income	4	4	8
Unemployment certificate	5	4	9
Certificate of use of social assistance		3	3
All three listed	16	5	21
I do not know	3	5	8

Table 41: Information of women about the necessary documentation for exemption from court costs (more answers are possible)

KEY FINDINGS AND RECOMMENDATIONS

The analysis concludes that although a sufficient legal framework has been established for women victims of domestic violence to provide access to information and advice (primary legal aid), and to a lawyer (secondary legal aid) through the new Free Legal Aid Law, it is still necessary to harmonize it with the legal provisions for the litigation procedure in the so-called poor law that refer to the exemption from payment of costs. In addition, there is a lack of a well-promoted and effective system for strengthening the legal awareness and information of women regarding the legal opportunities for legal aid and exemption from court costs, in order for them to apply them in the court proceedings they conduct. The quality of free legal aid and legal representation provided in accordance with the LFLA is worrying, given that women who have had such experience are generally dissatisfied with the work of certified lawyers. On the other hand, civil society organizations continue to provide the necessary legal assistance to women who run their own proceedings to address the problems they face.

Women who have suffered domestic violence believe that the state must find a solution to overcome the obstacles that make it difficult for them to access effective court protection of their rights, which in addition to fear of confronting the perpetrator, lack of funds to conduct proceedings, and legal ignorance proceedings are one of the main reasons why they give up, despite the need do not conduct other court proceedings. Unemployment among half of the women and lack of personal income makes it more difficult for them to get the justice they seek. In other words, the financial power of women to pay court fees and costs has an impact on the speed of decision-making on how to initiate court proceedings to resolve the problems they have faced, ie utilising professional assistance procedures through the competent institutions, or again with the opportunity to hire a lawyer of their choice.

The following section explains the key findings from the proceedings conducted by women who have suffered domestic violence, as well as the specific conclusions for each procedure separately in relation to the women who conducted or will conduct a certain procedure before the competent courts.

KEY FINDINGS:

- The largest percentage (92%) of the total number of women lead or have conducted procedures for temporary protection measures (TPM) and divorce. A smaller percentage of women also had property disputes, 29% division of property acquired in a marriage in which the property is not disputed, 13% division of property acquired in a marriage in which the property is disputed and 8% eviction from the home. Some of the women (13%) conducted a procedure for payment of child support and 8% in respect of custody of children.
- Since conducting the necessary procedures, more than half of the women, (54%) have given up the initiated procedure for TPM. Only one of the women gave up the division of property in which the ownership is not disputed.

- In the sphere of available opportunities for assistance and support of women in conducting the necessary court proceedings, the support of the SWC was used by all women in the TPM procedure. The opportunity for women as registered victims of domestic violence or as socially endangered to conduct other types of court proceedings free of charge through the Ministry of Justice was used by a much lower percentage, ie only 18% in divorce proceedings and 14% in both procedures for division of property acquired in marriage.
- Of all the family dispute proceedings involved, in the TPM procedure, 73% were not informed about the possibility of conducting the procedure through the MoJ, while 60% did not know about the possibility of submitting a written proposal for TPM to the court. Also, 67% of women were not informed about the possibility of obtaining free legal aid through the MoJ in the divorce proceedings, including through legal representation. The women who conducted the other types of proceedings were informed about the possibility through the MoJ and few of them decided to conduct the proceedings in this way, namely the unemployed who could not pay court costs and none on the basis of a registered victim of domestic violence.
- The women who utilised the assistance from the SWC or the MoJ in the proceedings they conducted, did not face the payment of court fees involved in the proceedings. Exceptions to this are a small number of women who faced the cost of gathering the documentation needed for the procedures they have conducted.
- More than half (55%) of the women who conducted the procedures through the SWC and the MoJ are not satisfied with the professional assistance provided due to several reasons, the most common of which is the slow action of the institutions representing and protecting their interests.
- Of all types of procedures, the largest percentage of women (82%) thought that they were not able to conduct the TPM procedure on their own due to several reasons and almost all due to fear of facing the abuser and lack of information about the documents required for the procedure.
- The awareness of women about all court fees involved in each of the proceedings they conducted was the lowest (25%) in the TPM procedure, increased to (42%) in the divorce proceedings, and increased to over 50% in other proceedings in which a smaller percentage of women did not know mostly the court fee for an appeal.
- In terms of the possibility of exemption from payment of costs through a competent court for all fees involved in the proceedings, if the women led them alone, at least 30% were informed in the TPM procedure. A common feature for the majority of women (over 80%) regardless of the procedures they conducted is that they were not informed about the payment of total court costs, including the lawyer of the opposing party according to a court decision in the event of failure in the case.
- The estimated costs of court fees involved in proceedings are mostly unknown to more than half of women in TPM proceedings. In the other proceedings, the women were more informed, ie about half knew about the exact amount of court fees for lawsuits, appeals,

and judgments but did not know most about the additional costs in addition to those provided such as court expertise, surveyor, etc.

- The women were informed about the procedures they conducted from several sources, mostly from CSOs and much less from institutions (SWC, court), lawyers, and friends.
- Estimated costs of court fees for lawsuits, appeals, and judgments were available and acceptable to about half of the women in the proceedings they conducted with the exception of the property division proceedings in which ownership is disputed. The biggest financial burden for women was the payment of additional costs such as court expertise, surveyor, and especially the costs incurred in the absence of the other party (delivery of a court summons, temporary lawyer, etc.).
- The majority of women conducted the procedures themselves with the exception of TPM. In this case, few of the women sought court exemption from costs in accordance with the legal provisions on court fees and litigation. Specifically, 82% of women divorced on their own and 39% of them sought exemption from court fees. This was the situation in other procedures as well. An exception to this is the procedure for the division of property in which the ownership is disputed, in which one of the women, because she could not pay for court costs, conducted the procedure through the MoJ, while the other two did not seek relief from costs and conducted the procedure with financial assistance from parents.
- Most of the women (over 60%) could not afford to pay for a lawyer. As for the others, some could not determine this because they had financial support from the family while most of the others were able to allocate up to 3.000 MKD for representation in one court hearing.
- The payment of court costs in the proceedings has an impact on the standard of living of women, as for most the standard of living has been partially changed while it endangered the livelihood of a smaller percentage of women, specifically in divorce proceedings and division of property, who were forced to pay the total costs incurred in the absence of the other party to complete the proceedings..
- The awareness of women about the court decisions for payment of costs incurred in the proceedings is the lowest in the TPM procedure, partly due to the support of the SWC and partly due to cancellation of the procedure.
- The women who completed these proceedings alone or with the help of a lawyer paid half of the court costs equally with the opposing party, ie each party paid its own costs incurred in the proceedings. Few of the women were responsible for the total costs in the absence of the opposing party.
- The women who conducted these proceedings alone or hired a lawyer all received free legal aid from CSOs.

FINDINGS FOR EACH PROCEDURE SEPARATELY

A. Temporary protection measures – TPM

- Almost all women are informed about the possibility of conducting the procedure through the SWC; few of them know about the possibility of exemption from costs by submitting a request in person to the court; and they are least familiar with the possibility of conducting proceedings free of charge, including through legal representation through the Ministry of Justice.
- Most women conduct this procedure through the SWC because they were informed that it is a competent and professional institution to act on a problem of domestic violence. In fact, the SWC is the institution where they most often turn to solve the problem of violence and other legal problems, such as divorce, guardianship, support, and others.
- Most of the women who started the procedure through the SWC did not face the payment of additional costs in the procedure for pronouncing TPM.
- It is worrying that half of the women gave up before the TPM procedure was completed, while the majority of women were dissatisfied with the SWC's support in this procedure due to the slow handling of domestic violence reports, that they were not consulted on both the proposal and the withdrawal of measures. Some of the women were dissatisfied due to lack of follow-up actions after subsequent reports of repeated domestic violence.
- Although the costs of court fees involved in this procedure were acceptable and affordable for most women, they still all feel that they are not able to run it on their own because they are legally ignorant and afraid to face the perpetrator alone during court hearings.
- Most women do not have previous court experience, because the proceedings primarily start with TPM, so we assume that this is one of the possible reasons for the great lack of information about the court fees involved with the exact amounts for each and for exemption from court costs.

B. Divorce

- Most of the women are informed about the possibility of exemption from court costs by applying to the court in person
- Only a third of women are informed that as registered victims of domestic violence they can conduct the proceedings free of charge through the MoJ, including through the representation of a lawyer.
- Consequently, most women run the proceedings on their own, with some receiving legal assistance from CSOs, while a smaller number hire a lawyer. A small number of informed women used the opportunity for this procedure through MoJ.
- The women who conducted the procedure through MoJ did not face the payment of costs, but they are dissatisfied with the services of the approved lawyer because he unjustifiably

delayed the procedure and did not point out their rights regarding to the child support and support for them.

- Most women are informed about court fees and costs and most are uninformed about the established costs for expertise and special expertise.
- The majority of women do not have the financial means to pay for all court fees and costs and the biggest financial burden is the costs of forensic examination.
- Given the importance of divorce proceedings in resolving our domestic violence issues, women do not give up on the proceedings, even in the event that the payment of court costs endangers their livelihood.
- Few women incurred the additional costs of submitting a court summons, publishing a court notice, and setting up a temporary lawyer due to absence or unavailability of the other party.
- Very few women conduct this procedure with a lawyer and for this cost they are able to allocate up to 3000 MKD for one appearance.
- The women are not informed that if they fail in this procedure, the court may charge them with total court costs for a lawyer on the opposing side.

C. Property disputes - the division of property in which the ownership is not disputed, division of property in which the ownership is disputed and eviction from the home

- The property division procedure in which ownership is disputed, despite multiple reductions in the established costs of court fees, is characterized as the most expensive of all types of court proceedings.
- Characteristic of women in property disputes is the awareness of court fees and costs, including the possibility of exemption through the courts, which is partly expected given the previous experience of divorce proceedings, TPM, etc. Few women are aware of the possibility of conducting these proceedings through MoJ.
- A small number of women who are informed about the possibility of conducting the procedure through the MoJ, have conducted or will conduct the procedures for division of property in this way because they do not trust the institutions and legal services of the approved lawyer.
- On the other hand, women who run the proceedings themselves do not have enough funds for court costs, so most run them with financial help from family and friends, and most try to complete them even when the costs threaten their livelihood. Some of the women who can not lead the proceedings themselves rely on the legal assistance of CSOs, while at the same time seeking relief from the court from court costs.

D. Support and custody

- Alimony and custody proceedings for minor children are mostly conducted by women who have children from an extramarital affair, and less for reversal of a previous court decision.
- More women are informed about the possibility of exemption from costs in court, and less through MoJ. In doing so, women are mostly informed about the costs of lawsuits and judgments but know less about appeals.
- Half of the women can only pay for the lawsuit and the verdict, and most cannot pay for the appeal and forensic examination.
- Almost all women are ready to end these proceedings with a court decision, even if the costs endanger their livelihood.

RECOMMENDATIONS

- Establish an effective system for promoting the legal framework that provides for various possibilities for providing legal aid and relief from court costs, such as the use of secondary legal aid through the Ministry of Justice, ie submitting a request for relief from costs in person to the court.
- Women who have suffered domestic violence need to be informed about the number of court fees and costs in each of the proceedings related to resolving the legal issues they face: TPM; divorce; custody; support; compensation; property disputes, etc.
- It is necessary to further regulate the legal provisions of the litigation procedure that refer to the exemption from paying costs of the procedure, the so-called poor law.
- The Ministry of Justice (MoJ) must establish a system for assessing the quality of secondary legal aid provided by authorized lawyers, based on the experiences of women who have suffered domestic violence beneficiaries of approved legal aid. Then the Ministry must establish supervision and control mechanisms in respect of the actions of the authorized providers of professional legal aid.
- The Ministry of Labor and Social Policy (MLSP) must establish a system for regular measurement of the satisfaction of women who have suffered domestic violence in respect of various protection measures or services provided by the SWC, focusing on the procedure for proposing TPM. It must make a detailed assessment of the quality of work of the SWC in the procedure for pronouncing TPM, based on the experiences of women who have suffered domestic violence and devise measures to increase the efficiency and quality of assistance and support in cases of this kind.
- Government must specify a time frame, ie precise legal deadlines for the procedures conducted by women who have suffered domestic violence.
- Reduce the additional court costs in addition to the foreseen court fees in all family dispute proceedings;

- Abolish court costs for women who are not registered victims of domestic violence because they are often unwilling to report the perpetrator or cancel and withdraw the application;
- Eliminate the possibility of court decisions by which women are indebted with total court costs, including for a lawyer on the opposing side, in case they fail in the proceedings;
- Eliminate the possibility of making court decisions that women will pay total costs and then be reimbursed by the opposing party which often refuses to pay;
- Abolish court costs incurred by women due to the absence of the opposing party and mostly for the appointment of a temporary lawyer as this is the main financial reason for the cancellation of the proceedings;
- Enable immediate, simple and free initiation of proceedings before a competent court due to the need for quick court decisions;
- Provide free hiring of a lawyer of your choice;
- Introduce a control mechanism in the actions of authorized providers of free professional legal aid, which is vital for the protection of the rights of victims of domestic violence.

CASE STUDIES

This analysis presents case studies of two women who led and one who is yet to lead family dispute proceedings as a result of a problem with domestic violence. The study of each of the three cases is divided into two parts. The first part presents the criteria for the selection of cases, and the second goes into the specifics of the case, in terms of solving legal problems in accordance with existing legal possibilities and legal practices. The case selection criteria is based on several parameters, in order to illustrate different life situations with typical problems involving a larger, representative sample of women, who are also representative of different backgrounds according to socio-economic status and cultural-religious characteristics with differing financial power, which are an important integral part of life. The three selected cases are individual and specific examples, which allow the reader through the presented experiences of women to see the conclusions of this analysis on the impact of court fees on women with opportunities or obstacles in trying to enjoy the right to legal aid and support in the necessary procedures for resolving the legal issues they face.

1) **The first case** is an example that presents the experience of the typical legal problems of married women who have minor children and acquired a joint property with the abuser. This case points to several factors that have an impact on the conduct of necessary court proceedings, such as the financial ability to pay court costs for female employees and the impact of funds spent on living standards, experiences of institutions and courts, and the absence of coordinated inter-institutional cooperation in cases of domestic violence.

S.I. She is a Macedonian by nationality, she is 37 years old, she completed higher education and as an employee, she has a monthly income of 23.000.00 MKD. She was a victim of domestic violence perpetrated by her husband with whom she has a minor child. In December 2020, he requested legal assistance from ESE in a previously initiated procedure for deprivation of parental rights over a minor child.

Prior to this period and simultaneously, S.I. conducted proceedings for TPM and divorce determining custody and support for a minor, and then for division of property in which the ownership is disputed and a procedure for increasing the previously determined child support.

S.I. in the case of the violence perpetrated by her husband, she knew only about reporting to the SWC as a competent institution to propose TPM to the court. She was judicially inexperienced and had complete confidence in the SWC expert team to represent her rights in the TPM procedure. She and her minor son left the family home and hired a lawyer to file for divorce. However, even after the separation from her husband, he committed physical violence against the minor son during their direct meetings. Although S.I. reported the violence in a timely manner, the SWC acted slowly and intermittently to take measures to protect the child against violence even when the child's safety was endangered. Specifically, the SWC acted on the reports by submitting a proposal for TPM to the court, then withdrew it, and again submitted a proposal for TPM, and for all this the consent of the woman was not requested neither was she consulted on the proposed measures.

S.I. is completely dissatisfied with the legal aid of the SWC because such action is incomprehensible considering that the expert team was timeously informed about the final criminal verdict by which the father was found guilty of violence against the minor son, and at the same time a first instance verdict was taken for confiscation of parental rights over a child which the abuser then appealed. In a period of half a year, ie until February 2021, when the court decision for deprivation of the parental right of the father was made, S.I. was under constant pressure and reprimands with criminal charges from both the SWC and the police because she did not contribute to the re-establishment of the son's emotional relationship with the father.

As for all other proceedings, S.I. led them with the help of a lawyer who only partially told her about the court fees and costs in the proceedings she conducted.

S.I., in line with the proposal of the lawyer, completed the divorce proceedingst amicably. The also cindluded child support which was prescribed in the amount of 3,000 MKD. per month which the father was obliged to pay. With regard to the costs, the court decided that each party should pay the costs incurred in this procedure, so this procedure cost S.I. about 25.000 MKD. including for the services of the lawyer amounting to 3.000 MKD for one court hearing.

Approximately in identical condition S.I. conducted the other procedures by concluding the procedure for the division of property acquired in marriage in which the property was disputed amicably and the procedure cost her 27.000 MKD; for the increase of the previously determined court support, she paid 20.000 MKD. She paid the most in the procedure for deprivation of parental rights, 73.000 MKD, and only these funds were reimbursed by the opposing party in accordance with the court decision.

For court resolution of legal issues as a consequence of domestic violence a time period of January 2019 until February 2021 was required and S.I. paid a total of about 145.000 MKD for court costs. She believes that she was not able to conduct any of the proceedings alone, without a lawyer and financial support from her parents. The costs of these proceedings endangered her livelihood and she experienced the greatest stress in the procedure for TPM and deprivation of parental rights. According to S.I. all court proceedings and the outcome of the proceedings were moderately fair but the outcome compensated to a very small extent for the damage caused by the problem.

2) The second case is representative of unemployed women, who, despite their willingness to seek court protection for their rights and interests, face many obstacles in addition to financial ones. They can not even complete the initiated proceedings in family disputes due to unjustified procrastination by the abuser who is rooted in traditional notions of the dominant role of the man and the subordinate position of the woman, in relation to child custody and property ownership, even after separation. This case presents an experience of increasing court costs with additional costs during the procedure, which practically makes it impossible for unemployed women to complete the procedure if they do not have financial support or are uninformed about the possibility of conducting the proceedings free of charge through the Ministry of Justice.

A.I. is Albanian by nationality, she is 37 years old, she has not completed primary education, she is unemployed, and the mother of five children, three of whom are minors. She decided to report the long-term physical violence perpetrated by her husband to the SWC in January 2018. After this

period and due to the slow action of the SWC after the report of domestic violence, A.I. left the violent home with her three minor children. She did not have the support of her parents and family in dealomg with her husband's violence, but she received financial help from a friend who worked in Germany. In this way, A.I. managed to rent an apartment for herself and her children and to start divorce proceedings that included custody and support for the children, and division of property acquired in marriage in which the ownership is disputed despite the TPM procedure through the SWC.

Despite the support of CSW in the process of TPM, incurred a cost of 1,000 MKD for certificates confirming she reported the violence to the police and for the report from the health institution in terms of injuries sustained from domestic violence. She is not satisfied with the legal assistance provided by CSW because due to the slow action of the expert team she was forced to leave the home that was acquired during her married life. Under such circumstances, the later court measures did not have an effective impact on the protection of the woman and her minor children. In fact, before initiating this procedure, she did not know about the possibility of conducting it alone or with the help of a lawyer.

Due to distrust and dissatisfaction with the SWC as a competent institution for support of victims of domestic violence, this woman later did not apply for free legal aid through legal representation through the MoJ in the procedure for divorce and division of marital property. Although she could not determine her own financial capability to pay court costs because she depended on the humanity of her friend, she still started both cases with a lawyer for whom she paid MKD 6,000 each time for representation in a court hearing. In both cases, the court costs, in addition to the foreseen ones, were additionally increased by costs for submitting a court summons, publishing a court notice, and appointing a temporary lawyer for the opposing party who was unavailable to the court. In addition to the above, in the procedure for separation from the spouse, there was an additional cost for a temporary measure with a ban on the sale or alienation of the property, as well as costs for inspection by the court and a surveyor.

The divorce proceedings cost A.I. approximately MKD 72.000. which she is not able to recover from the other party in accordance with the court decision for compensation. Regarding the costs for division of the marital property, they reached up to 100.000 MKD. and the temporary representative of the ex-husband filed an appeal against the first instance verdict. Specifically for this procedure, we were informed that it was initiated in the period before the reduced court fees applied. The latter are now limited to property disputes up to a maximum of 6,000 MKD. for lawsuit and verdict and 12.000 MKD for appeal regardless of the value of the property that is involved in this procedure.

Based on her experience A.I. has no trust in the support of the institutions or the courts due to the dutation and procrastination of the procedures she conducted. She believes that she was not able to lead them alone or even complete them with a lawyer, so she additionally turned to ESE for legal advice at the beginning of 2021. For her, the stress experienced in the proceedings was very great and she believes that the outcome of the proceedings does not compensate for the damage from the problem. She can not determine how much they are worth in terms of funds spent which, which in the case of division of marital property reached 172.000 MKD. In the meantime, her cost of living has increased and she must pay rent for an apartment.

3) The third case is representative of women who, in addition to the violence suffered from an extramarital partner, experience typical problems regarding the custody of children, and not infrequently problems with the protection of personal property. This case presents an experience of the challenges and obstacles that prevent women from conducting the necessary court proceedings despite having the financial means to pay for court costs.

M.K. is a 44-year-old Serb by nationality and has completed secondary education. She is employed with a monthly income of 30.000 MKD, and is the mother of a minor daughter from an extramarital union with a foreign citizen. They all live together in her own apartment.

M. K. in August 2021 sought legal advice from ESE about the problem of domestic violence from the extramarital partner. She stated that she reported the violence from her partner to the SWC, with which she was dissatisfied because the perpetrator was not removed from her own home, but she was also offered protection by accommodation in a shelter center, which she did not accept.

From the time she applied, M.K. faces pressure from the perpetrator to withdraw her consent to prosecute him, threatening to otherwise accuse her of committing psychological violence by threatening to use a firearm given that she owns a service pistol as a police officer. The abuser, meanwhile, refuses to move out of her home.

This woman, despite the need, does not know if she will continue the proceedings for TPM and criminal prosecution of her partner because she does not believe that the institutions will provide protection for her and her daughter. She is particularly afraid of her partner's threats to claim custody of her daughter but is still prepared to claim custody and institute eviction proceedings and plans to hire her own lawyer.

M.K. is not familiar with the costs of court fees in the proceedings she will lead, nor does she know how much money she needs to pay court costs, including for a lawyer.

CASE STUDIES CONCLUSION

The results obtained from the case study indicate life situations that exceed the capacity of women to successfully complete the necessary procedures in family disputes if they are not provided with free legal aid and support. In the analysis of the three cases, the women have a personal characteristic of perseverance in the attempt to get a court solution of the problems and endurance in the face of the obstacles they face until the completion of the procedures. The case studies contribute to building the challenge to the state to eliminate the risk of women abandoning or discouraging seeking court protection by providing access to an individual comprehensive education for women victims of domestic violence who need additional opportunities for speedy judicial redress and decisions on several issues in one procedure, in which they are represented free of charge by a lawyer.



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