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HOW TO EFFECTIVELY CLAIM A DEBT: KEYS TO CHOOSING BETWEEN THE THREE MOST COMMONLY USED PROCEDURES IN SPAIN AND THE EU

PAYMENT ORDER PROCEDURE, EUROPEAN PAYMENT ORDER PROCEDURE, EUROPEAN SMALL CLAIMS PROCEDURE

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THE DEBTOR´S RESIDENCE DETERMINES THE APPLICABLE PROCEDURE

If the debtor resides in Spain, you can choose the Payment Order Procedure or the Small Claims Procedure.
If the debtor is in another European Union country, the European Small Claims Procedure is the most suitable option.

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THE AMOUNT OF THE DEBT DETERMINES THE TYPE OF PROCEDURE

The Payment Order Procedure has no monetary limit.

The national Small Claims Procedure applies to claims up to €6,000.

The European Small Claims Procedure is limited to €5,000 (excluding interest and costs).

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THE AVAILABLE DOCUMENTATION IS KEY TO STARTING THE PAYMENT ORDER PROCEDURE

The Payment Order Procedure requires evidence of the debt (invoices, contracts, etc.).

In Small Claims Procedures (national or European), submitting documentation at the beginning is not mandatory, but recommended.

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SIMPLICITY AND SPEED VARY DEPENDING ON THE PROCEDURE

The Payment Order Procedure is very fast if there is no opposition.
The European Small Claims Procedure is quick and handled in writing, without the need for a lawyer.
The Small Claims Procedure may require an oral hearing, which can prolong the process.

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