

Overview of Thailand Litigation System

Whenever a commercial dispute arises, the damaged party who intends to seek the legal remedy, must follow the below steps.

1. The damaged party must file a lawsuit to a court of first instance having a jurisdiction over the case.
2. The counterparty will be given an opportunity to file an answer to the lawsuit.
3. Then each party will bring witnesses to testify before judges (There is no jury trial in Thailand. Thailand only adopts the bench trial).
4. Upon completion of the trial, the court will make a decision.
5. In general, the losing party may appeal the decision of the court of first instance to the Court of Appeals.
6. Likewise, the losing party may appeal the decision of the Court of Appeals to the Supreme Court.
7. A decision becomes final when no appeal is filed or the appeal is filed and the higher court (the Court of Appeals or the Supreme Court) decides one way or another.
8. The winning party can enforce the final court decision with the help of the Legal Execution Department to seize the assets of the losing party and selling them by a public auction.



Having adopted the codes of law, Thailand is a civil law jurisdiction. Thai judges decide cases based on the statutes, which have been passed by Parliament. Hence, the statutes or the Acts of Parliament are the source of law.

Court precedents in the previous cases are not legally binding to the judges in the subsequent cases, but the court precedents may be perceived as highly influential.

Unfortunately, our system allows a losing party to exhaust the lengthy appeal process and with the long queue at the Supreme Court, it will take ages to get a final decision. There is no speedy enforcement.