

EUROPEAN COMMISSION
FOR THE EFFICIENCY OF JUSTICE
(CEPEJ)

PILOT-SCHEME
FOR
EVALUATING JUDICIAL SYSTEMS

SCHEME FOR EVALUATING JUDICIAL SYSTEMS

Country: LATVIA
.....

Contact Name:
E-mail:

I. General information

1. Number of inhabitants

Number: 2.319.100
.....
Source: Central statistic bureau of Latvia
.....
Year of reference: 2003
.....

2. Total annual State/regional public budget

Budget: 2.326.193.765,96 EUR (State)
Source: state budget
.....
Year of reference: 2002

3. Average gross annual salary

Salary: 291,79 EUR
Source : Central statistic bureau of Latvia
.....
Year of reference: 2002

II. Access to Justice and to all courts

II. A. Legal aid/cost of justice

4. Annual public budget spent on legal aid

Annual budget: 689,399,69 EUR Year : 2002
Source : State budget

5. If possible, specify

- the annual public budget spent on legal aid in criminal cases

Annual budget: 689,399,69 EUR Year : 2002
Source : State budget

- annual public budget spent on legal aid in other court cases

Annual budget: Year :
Source :

6. Total number of legal aid cases (in a year)

Number of cases: 1181 Year : 2002
Source : statistic made by Ministry of Justice

7. If possible, specify:

- the total number of legal aid cases in criminal matters (in a year)

Number of cases: 1181 Year : 2002
Source : statistic made by Ministry of Justice

- the total number of legal aid cases in other court cases (in a year)

Number of cases: Year :
Source :

8. Does your country have an income and asset test for granting legal aid?

Yes / No: **N**

9. If yes, what is the maximum income level for granting legal aid?

Income level: Year :

10. Is it possible to refuse legal aid for lack of the merit of the case?
(eg. for frivolous or vexatious actions, or cases without merit)

Yes / No: **N**
.....

If yes, is the decision taken by :
(please indicate the right answer)

- the court
- a body external to the court
- a mixed decision-making body (court and external)
- other:

What factors are taken into account ?

Factors:
.....

11. In general do litigants have to pay a court tax or fee to start a proceeding at a general jurisdiction court?

Yes / No / Otherwise: **Y**
.....

If yes, is this true for :
- criminal cases? Yes / No **N**
- other than criminal cases? **Yes** / No **Y**

12. Does your country have a private system of legal expenses insurance for individuals?

Yes / No / Otherwise: **N**
.....

13. Do judicial decisions have an impact on who bears legal costs which are paid by the parties during the procedure?

Yes / No / Otherwise: **Y**
.....

If yes, is this true for :
- criminal cases ? Yes / No **Y**
- other than criminal cases? Yes / No **Y**

14. In your country, have studies been carried out on the costs of cases brought to courts concerning: - users? Yes / No N
- the State? Yes / No N

If yes, please indicate the references of these studies published in the year 2002 or 2003:
(Author / instance) (Title) (Type of courts or costs reported on):

.....
.....
.....

II. B. Users of the courts and victims

15. Are there official internet sites/portals (eg. Ministry of justice, etc..) through which the general public may have free access to:

- legal texts (eg. codes, laws, regulations, etc..)? Yes / No Y
internet address: www.likumi.lv; www.mk.gov.lv; www.saeima.lv; www.vestnesis.lv; www.ttc.lv

- to the case-law of the higher court/s? Yes / No Y
internet address: www.tiesas.lv; www.at.gov.lv; www.satv.tiesa.gov.lv;

- to other documents (for examples legal forms)? Yes / No Y
internet address: www.legal.lv; www.juridica.lv;

If yes, please give the internet address

16. Is there a public and free-of-charge specific information system to inform and to help victims of crimes? Yes / No N

Comments:

17. Is there a public, free of charge and personalised specific information system, managed by the police or the justice system, on the follow up given to complaints by victims of crime? Yes / No

Comments:

18. Does your country have a public compensation fund to compensate financially victims of crimes? Yes / No N

Comments:

19. Does your country have users' or legal professionals' (judges, lawyers, officials, etc.) surveys to measure public trust and satisfaction with the services delivered by the judiciary?
 Yes / No Y

If yes, are these surveys

- at national level Yes / No Y
- at court level Yes / No N

20. Is there a national or local procedure for making complaints about the performance of the judiciary (eg. through an ombudsman)? Yes / No Y

Please specify:

- at court level/internal procedure Yes / No Y
- at court level/external procedure Yes / No N
- at national level/internal procedure Yes / No Y
- at national level/external procedure Yes / No N

Comments:

21. As a general rule, do the institutions which receive such complaints have an obligation to respond and/or to deal with the complaint within a certain time limit?

- time limit to respond: Yes / No Y
- time limit for dealing with the complaint: Yes / No Y

III. Functioning of courts and efficiency of justice

III. A. *Functioning*

22. Total number of courts

Number of courts: 41

23. Number of general jurisdiction first instance courts

Number of courts: 34

24. Number of specialised first instance courts

Please specify the different areas of specialisation

(area of specialisation)	(number of courts)
Administrative court	1
.....

25. Number of professional judges sitting in courts
(present the information in full time equivalent and for permanent posts)

Number of judges:	396	fte	Year :	2002

Source : Ministry of Justice
.....

26. Number of non-professional judges sitting in courts
(present the information in full time equivalent and for permanent posts)

Number of judges:	0	fte	Year :	

Source :
.....

Please give details: Latvia has not non-professional judges
.....

27. Number of non-judge administrative staff who are working in courts
(present the information in full time equivalent and for permanent posts)

Number of staff:	700	fte	Year :	2002

Source : Ministry of Justice
.....

28. Annual budget allocated to all courts

Annual budget:	15.527.091,18 EUR	Year :	2002

Source :	State budget		
		

29. Annual budget allocated to the Ministry of justice or the institution (for example Judicial Council) which is responsible for the functioning of the courts

Annual budget:	46.846.659,57 EUR	Year :	2002

Source :	State budget		
		

30. Has the budget for justice increased during the last 5 years? Yes / No Y
What are the figures?

Budget	15.527.091,18 EUR	Year	2002

Budget	21.526.007,60 EUR	Year	2004

31. Which institution is formally responsible for setting up the budget devoted to courts?

- the ministry of Justice (or equivalent) Yes / No Y
- the Government Yes / No Y
- the Parliament Yes / No Y
- the Judicial Council Yes / No N
- the Courts Yes / No N
- other:

32. Who manages the budget of the courts?

- the President of the Court Yes / No N
- the person administratively responsible for the court Yes / No N
- other: Ministry of Justice

33. Which institution is responsible for arranging and scheduling the court hearings/sessions?

- in criminal cases: the court / public prosecutor / lawyer / other: **the court**
- in other than criminal cases the court / public prosecutor / lawyer / other: **the court**

III. B. Efficiency

34. Total number of criminal cases received by the public prosecutor (in a year)

Number of cases:	15029	Year :	2002

Source :	Report on pre-trial investigation institution's work		
		

35. Total number of criminal cases dropped by the public prosecutor (in a year)

Number of cases:	1389	Year :	2002

Source :	Report on pre-trial investigation institution's work		
		

Please indicate also, out of this total, those dropped as the offender has not been identified

Number of cases:	296	Year :	2002
Source :	Report on pre-trial investigation institution's work		

36. Total number of criminal cases which are concluded by a sanction/measure, imposed or negotiated by the public prosecutor (in a year)

Number of cases:	734	Year :	2002
Source :	Report on pre-trial investigation institution's work		

37. Total number of criminal cases charged by the public prosecutor before the courts (in a year)

Number of cases:	13401	Year :	2002
Source :	Report on pre-trial investigation institution's work		

38. Total number of incoming criminal cases in the courts involving robbery cases (in a year)

Number of cases:	652	Year :	2002
Source :	Statistic made by the Ministry of Justice		

39. Total number of judicial decisions, involving robbery (in a year)

Number of cases:	651	Year :	2002
Source :	Statistic made by the Ministry of Justice		

Please indicate, if possible:

Number of convicted persons:	849	% of convicted persons:	6,7
Number of acquitted persons:	6	% of acquitted persons:	5,5

40. Percentage of decisions involving robbery subject to an appeal to a higher court (in a year)

Percentage of decisions:	39%	Year :	2002
Source :	Statistic made by the Ministry of Justice		

41. Total number of incoming criminal cases in the courts, involving intentional homicide (in a year)

Number of cases:	67	Year :	2002
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Source :
Statistic made by the Ministry of Justice
.....

42. Total number of judicial decisions, involving intentional homicide (in a year)

Number of decisions: 75 Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

Please indicate also if possible:

Number of convicted persons: 57 % of convicted persons: 0,45

Number of acquitted persons: 0 % of acquitted persons: 0

43. Percentage of decisions concerning intentional homicide subject to an appeal to a higher court (in a year)

Percentage of decisions: 52 Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

44. Total number of incoming civil and administrative cases in the courts (in a year)

Number of cases: 50164 Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

45. Total number of judicial decisions in civil and administrative matters (in a year)

Number of decisions: 37598 Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

46. Percentage of decisions concerning civil and administrative matters subject to an appeal to a higher court (in a year)

Percentage of decisions: 11% Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

47. Total number of incoming divorce cases in the courts (in a year)

Number of cases: 7591 Year : 2002

Source :
Statistic made by the Ministry of Justice
.....

48. Total number of judicial decisions in divorce cases (in a year)

Number of decisions: 6411 Year : 2002
Source : Statistic made by the Ministry of Justice

49. Percentage of decisions concerning divorce cases subject to an appeal to a higher court (in a year)

Percentage of decisions: 2% Year : 2002
Source : Statistic made by the Ministry of Justice

50. Total number of incoming employment dismissal cases in the courts (in a year)

Number of cases: 906 Year : 2002
Source : Statistic made by the Ministry of Justice

51. Total number of judicial decisions of employment dismissal cases (in a year)

Number of decisions: 445 Year : 2002
Source : Statistic made by the Ministry of Justice

52. Percentage of decisions concerning employment dismissal cases subject to an appeal to a higher court (in a year)

Percentage of decisions: 59% Year : 2002
Source : Statistic made by the Ministry of Justice

IV. Use of Information Technology in the court

53. Annual IT budget allocated to the courts (if possible in Euros)

Annual budget: NA Year :
Source : **Comment: the annual budget, assigned to courts, do not mark out budget for IT.**

54. In general, do the courts in your country have computer facilities?

- for judges Yes / No Y
- for non-judges court staff Yes / No Y

55. Is there a centralised institution which is responsible for collecting statistical data regarding the functioning of the courts and judiciary? Yes / No Y

If yes, please specify the name and the address of this institution

(Name) Ministry of Justice (Address) Brivibas blvd.36, Riga, Latvia, LV-1536

56. What kind of facilities can be used by the clients of the courts to communicate with the courts ?

- Telephone Yes / No Y
- Mail Yes / No Y
- Fax Yes / No Y
- E-mail Yes / No N
- Internet Yes / No N

57. Is there an electronic form to carry out certain procedural steps? Yes / No N

V. Fair trial

58. Percentage of adversary judgements in criminal cases in first instance

Percentage of judgements: 8% Year : 2002
Source : statistic made by Ministry of Justice

59. Is there a right to an interpreter for all those within your jurisdiction if the persons cannot understand or speak the language used in court? Yes / No Y

60. Is there an effective remedy to a superior jurisdiction for all cases? Yes / No Y

61. Are reasons given for all prison sentences? Yes / No Y

62. Average length, in days, of robbery cases from the formal beginning of the prosecution until the first instance judgment

Average length: 365 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

63. Average length, in days, of robbery cases from the formal beginning of the prosecution until the appellate judgment

Average length: 515 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

64. Average length, in days, of divorce cases from the deposit of the complaint until the first instance judgment

Average length: 180 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

65. Average length, in days, of divorce cases from the deposit of the complaint until the appellate judgment

Average length: 410 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

66. Average length, in days, of employment dismissal cases from the deposit of the complaint until the first instance judgment

Average length: 365 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

67. Average length, in days, of employment dismissal cases from the deposit of the complaint until the appellate judgment

Average length: 545 days Year : 2002
.....
Source : statistic made by Ministry of Justice
.....

68. Do you, on a regular basis, measure the size of backlog cases in the courts?

Yes / No Y

69. Do you have a way of analysing queuing time during court procedures?

Yes / No N

If yes, please specify:

.....

VI. Judges

70. Gross annual salary of a first instance professional judge at the beginning of his/her career

Annual salary : 490,50 EUR for month Year : 2002
.....
Source : Ministry of Justice
.....

71. Gross annual salary of a judge of the Supreme Court or of the highest appellate court

Annual salary : 723,64 EUR for month Year : 2002
.....
Source : Ministry of Justice
.....

72. Can judges combine their work with other professions (for example as a university professor, arbitrator, consultant)? Yes / No Y

If yes, please specify: can be lector of university

.....

73. Are judges recruited and nominated by an independent institution? Yes / No Y

(if yes), who are represented in this institution:

- the members of the judiciary Yes / No Y
- officials not part of the judiciary Yes / No N
- a mixture of the two categories referred to above Yes / No N

Is the process of selection and nomination of judges carried out according to pre-established procedures ? Yes / No Y

74. Is there a system of induction l and continuation training for judges?

No / Yes, but not compulsory / Yes, compulsory Y, compulsory

What is the average percentage of judges who have attended a continuation training session each year?

Percentage of judges: 90 Year : 2002
.....
Source : Ministry of Justice
.....

75. Is there a system of supervision and control on the courts - other than through appeal ? Yes / No Y

If yes, please specify: in questions connected with organisation of work the supervision is made by Ministry of Justice

76. Is there in your country a system of temporary judges? Yes / No N

If yes, are these temporary judges paid on the basis of their activity? Yes / No

If yes, please specify:

77. Annual number of disciplinary proceedings against judges

Number of proceedings: NA Year :

Source :

78. Annual number of sanctions against judges

Number of sanctions: NA Year :

Source :

VII. Public prosecutors

79. Annual budget for the public prosecution

Annual budget: 11.340.186,93 EUR Year : 2002

Source :

State budget

80. Number of professional public prosecutors (in full time equivalent)

Number of prosecutors: 654 Year : 2002

Source : The Prosecutor-General's orders on structure and personnel of prosecution office

81. Gross annual salary of a public prosecutor at the beginning of his/her career

Annual salary : 6626,14 EUR (regional level; for one year)

Year : 2002

Source :
State budget
.....

82. Gross annual salary of a public prosecutor of the Supreme Court or of the highest appellate court

Annual salary : 11007,60 EUR (the Prosecutor General Office's prosecutor's salary for one year) Year : 2002

Source :
State budget
.....

83. Can public prosecutors combine their work with other professions? Yes / No Y

If yes, please specify: prosecutor can combine their responsibilities with teaching, science and creative work.

.....

84. Are public prosecutors recruited and nominated by an independent institution? Yes / No Y

(If yes), who are represented in this institution:

- the public prosecutors ? Yes / No Y

- other stakeholders outside? Yes / No N

- a mixture of the two categories referred to above? Yes / No N

Is the process of selection and nomination of public prosecutors done according to pre-established procedures? Yes / No Y

Explanation: Before prosecutor's recruitment and nomination, prosecutor has to be evaluated at self regulating committees: certification commission and qualifications commission but the Prosecutor General recruits a prosecutor. The representatives in these committees are prosecutors.

85. Is there a system of induction and continuation training for public prosecutors?

No / Yes, but not compulsory / Yes, but compulsory Y, but not compulsory

What is the average percentage of prosecutors who have participated in continuation training each year?

Percentage of prosecutors: 68% Year : 2002

Source : Record of participated prosecutors in training
.....

86. Is there a system of supervision and control on public prosecutors? Yes / No Y

If yes, please specify: Head prosecutors, prosecutors, certification and qualification committees

.....

87. Annual number of disciplinary proceedings against public prosecutors

Number of proceedings: 39 Year : 2002

Source : Data of disciplinary cases

88. Annual number of sanctions against public prosecutors

Number of sanctions: 28 Year : 2002

Source : The Prosecutor-General's and Head prosecutor's orders on disciplinary sanctions

VIII. Lawyers

89. Number of lawyers practising in your country

Number of lawyers: 582 Year : 2002

Source : Latvian Council of Sworn Advocates

90. Is there a national bar association? Yes / No Y

91. Have quality standards been formulated for lawyers? Yes / No Y

If yes, who is responsible for formulating these quality standards?

- the bar association Yes / No Y

- the legislature Yes / No Y

- other Yes / No N

92. Can disciplinary proceedings be instituted against lawyers? Yes / No Y

93. Annual number of disciplinary proceedings against lawyers

Number of proceedings: NA Year :

Source :

94. Annual number of sanctions against lawyers

Number of sanctions: NA Year :

Source :

95. Is it possible to complain about the performance of lawyers? Yes / No Y

If yes, please specify: to Latvian Council of Sworn Advocates
.....

96. What is the amount paid to a lawyer by the State in respect of legal aid for a first instance divorce case?

Amount: Year :

Source : **Comment: Latvia do not pay for lawyer in respect of legal aid in divorce cases.**
.....

IX. Mediators and mediation proceedings

Latvia has not such institution.

97. Number of accredited or registered mediators

Number of mediators: Year :

Source :
.....

98. How much public budget is devoted to mediation?

Amount: Year :

Source :
.....

99. Number of incoming mediation cases (in a year)

Number of cases: Year :

Source :
.....

100. Number of cases solved through mediation (in a year)

Number of cases: Year :

Source :
.....

If possible, please specify:

- number of criminal cases solved through mediation:

- number of cases other than criminal solved through mediation:
.....

101. In which areas of law is mediation most practised and successful in your country?

- in criminal cases? Yes / No

- in other than criminal cases? Yes / No

Year : Source :

X. Enforcement agents and execution of court decisions

102. Number and types of enforcement agents

- in criminal cases:

(Type)	(Number)	(Year)	(Source)
State revenue service	NA		
.....
court bailiffs	115	2002	Latvian Council of Court Bailiffs
.....
Police	NA		
.....
prisons	NA		
.....
Forced labour supervisory services of local governments		NA	
.....

- in other than criminal cases:

court bailiffs	115	2002	Latvian Council of Court Bailiffs
.....

103. Is there an institution to supervise or control the activities of enforcement agents?

Yes / No Y

If yes, please specify: Minister of Justice, Latvian Council of Court Bailiffs

.....

104. Annual number of disciplinary proceedings against enforcement agents

Number of proceedings: 19 Year : 2002

Source : Latvian Council of Court Bailiffs

105. Annual number of sanctioned enforcements agents

Number of agents: NA Year :

Source :

106. Is it possible to file a complaint against an enforcement agent? Yes / No Y

If yes, please specify: The complaints can be filed in Ministry of Justice, courts and also in Latvian Council of Court Bailiffs.
.....

107. Does the court play a role in the execution of court decisions? Yes / No Y

If yes, please specify: supervisory role, control of acts and inaction of court bailiff.
.....

108. Are the courts competent to decide against public authorities? Yes / No Y

Are the courts involved in executing decisions against public authorities? Yes / No Y