

1. Evaluation of the judicial systems (2016-2018 cycle)



Latvia

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Reference data 2016 (01/01/2016 - 31/12/2016)

Start/end date of the data collection campaign : 01/06/2017 - 31/12/2017

Objective :

The CEPEJ decided, at its 28th plenary meeting, to launch the seventh evaluation cycle 2016 – 2018, focused on 2016 data. The CEPEJ wishes to use the methodology developed in the previous cycles to get, with the support of its national correspondents' network, a general evaluation of the judicial systems in the 47 member states of the Council of Europe as well as two observer states (Israel and Morocco). This will enable policy makers and judicial practitioners to take account of such unique information when carrying out their activities.

The present questionnaire was adapted by the Working group on evaluation of judicial systems (CEPEJ-GT-EVAL) in view of the previous evaluation cycles and considering the comments submitted by CEPEJ members, observers, experts and national correspondents. The aim of this exercise is to increase awareness of judicial systems in the participating states, to compare the functioning of judicial systems in their various aspects, as well as to have a better knowledge of the trends of the judicial organisation in order to help improve the efficiency of justice. The evaluation questionnaire and the analysis of the results becomes a genuine tool in favour of public policies on justice, for the sake of the European citizens.

Instruction :

The ways to use the application and to answer the questions are guided by two main documents:

- User manual
- Explanatory note

While the explanatory note gives definitions and explanations on the CEPEJ evaluation questionnaire and the methodology needed for replying, the User manual is a tool to help you navigate through this application. You can download the Explanatory note as a whole on the CEPEJ website. The specific explanations are also accessible for each question within this application under the tab "Explanatory note". This will serve as immediate consultation tool when answering questions. The user manual is accessible in the "Documentation" tab of the application.

In case you have any questions related to these documents or on the use of the application, please do not hesitate to contact the Secretariat.

1.General information

1.1.Demographic and economic data

1.1.1.Inhabitants and economic general information



001. Number of inhabitants (if possible on 1 January of the reference year +1)

[1968957]

Comments On 2016 1st January - 1 968 957

On 2017 1st January - 1 950 116

002. Total of annual public expenditure at state level and where appropriate, public expenditure at regional or federal entity level (in €)

	Amount
State or federal level	5636414986 [] NA [] NAP
Regional / federal entity level (total for all regions / federal entities)	[] NA [X] NAP

Comments Source - Law on Budget for 2016

003. Per capita GDP (in €) in current prices for the reference year

[12762]

Comments

004. Average gross annual salary (in €) for the reference year

[10308]

[] NA

Comments on 2016

005. Exchange rate of national currency (non-Euro zone) in € on 1 January of the reference year +1

[]

Allow decimals : 5

[X] NAP

Comments

A1. Please indicate the sources for answering questions 1 to 5

Sources: 1, 3 - Central Statistical Bureau of Latvia - www.csb.gov.lv

1.1.2. Budgetary data concerning judicial system



006. Annual (approved and implemented) public budget allocated to the functioning of all courts, in € (without the budget of the public prosecution services and without the budget of legal aid). If you cannot separate the budget allocated to the courts from the budgets of public prosecution services and/or legal aid, please go to question 7. If you are able to answer this question 6, please answer NAP to the question 7.

Approved budget (in €)	Implemented budget (in €)
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TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	53365154 [] NA [] NAP	52936937 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	38010043 [] NA [] NAP	37810368 [] NA [] NAP
2. Annual public budget allocated to computerisation (equipment, investments, maintenance)	1387988 [] NA [] NAP	1385832 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc), without legal aid. NB: this does not concern the taxes and fees to be paid by the parties.	2802714 [] NA [] NAP	2709349 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	9982438 [] NA [] NAP	9882530 [] NA [] NAP
5. Annual public budget allocated to investments in new (court) buildings	[X] NA [] NAP	[X] NA [] NAP
6. Annual public budget allocated to training	288054 [] NA [] NAP	275564 [] NA [] NAP
7. Other (please specify)	893917 [] NA [] NAP	873294 [] NA [] NAP

Comments - Please indicate any useful comment to explain the figures provided. If the annual public budget allocated to the functioning of all courts actually implemented is different from the approved annual public budget allocated to the functioning of all courts, please indicate the main differences: The difference of the amount for computerisation with previous cycle is due to expensive projects in previous period. For the category "Other" in 2015 there were unused funds for which reason this category was decreased in 2016. Expenses for new court buildings are not included within the public budget allocated to the functioning of courts. The latter is used to finance only the expenses for rent of premises. The competence in respect of the budget intended to new buildings is granted to another institution which is also responsible for planning such expenses. The reply in this respect is NA because such budget in Latvia exists, but it is not a part of the public budget allocated to the courts.

007. (Modified question) If you cannot answer question 6 because you cannot isolate the budget allocated to courts from the budget allocated to public prosecution services and/or legal aid, please fill only the appropriate line in the table according to your system:

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to all courts and the public prosecution services together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts and legal aid together	[] NA [X] NAP	[] NA [X] NAP
Total annual public budget allocated to all courts, public prosecution services and legal aid together	[] NA [X] NAP	[] NA [X] NAP

Comments: Payments for legal aid in 2015, 2016 and 2017 were significantly affected by the overall decrease of the number of criminal proceedings and, accordingly, the reduction of the number of criminal proceedings in which was provided the state ensured legal aid. The

number of registered criminal proceedings in the country are continuously dropping. Based on this, the Legal Aid Administration made proposals and the Ministry of Justice drafted legal act's projects that foresee redistribution of funds, including increasing the amount of remuneration for legal aid providers, giving fiscal impact for the coming years.

008. Are litigants in general required to pay a court tax or fee to start a proceeding at a court of general jurisdiction:

	Litigants required to pay a court tax or fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
for other than criminal cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If there are exceptions to the rule to pay a court tax or fee, could you please provide comments on those exceptions?
 Exceptions are regulated with Civil Procedure Law Article 43. (1) The following persons shall be exempt from payment of court costs to the State: 1) plaintiffs – in claims for recovery of remuneration for work and other claims of employees arising from legal employment relations or related to such; 1.1) plaintiffs – in claims arising from agreement on performance of work, if the plaintiff is a person who serves his or her sentence at a place of imprisonment; 2) plaintiffs – in regard to claims arising from personal injuries that result in mutilation or other damage to health, or the death of a person; 3) plaintiffs – in claims for recovery of child or parent support, as well as in claims for determination of paternity, if the action is brought concurrently with the claim for recovery of child support; 3.1) submitters of applications – in regard to recognition or recognition and enforcement of a decision of a foreign country on recovery of child or parent support; 4) plaintiffs – in claims for compensation for financial loss and moral injury resulting from criminal offences; 5) public prosecutors, state or local government institutions and persons who are conferred the right by law to defend the rights, and interests protected by law, of other persons in court; 6) the submitters of applications – in matters regarding restricting the capacity to act of a person due to mental disorders or other health disorders, revising the restriction of capacity to act or restoration of capacity to act; 6.1) the submitters of applications – in regard to establishment and termination of temporary trusteeship; 7) the submitters of applications – in regard to restricting the capacity to act of a person or establishment of trusteeship for a person due to a dissolute or spendthrift lifestyle, as well as excessive use of alcohol or other intoxicating substances; 8) defendants – in matters regarding reduction of child or parent support adjudged by a court, and reduction of such payments as the court has assessed in claims arising from personal injuries resulting in mutilation or other damage to health, or the death of a person; 9.1) the submitters of applications – in matters regarding the unlawful movement of children across borders or detention; 10) administrators – in claims that are brought for the benefit of persons in respect of which insolvency proceedings of a legal person and insolvency proceedings of a natural person have been announced, as well as when submitting an application in a matter regarding insolvency proceedings of a legal person in the case specified in Section 51, Paragraph three of the Insolvency Law; 11) judgment creditors – in execution matters regarding recoveries for payment into State revenues; 11.1) collectors – in execution matters when recovery should be performed according to the uniform instrument permitting enforcement of claims in the requested Member State; 12) tax (fee) administration – in applications in matters regarding insolvency proceedings of a legal person; 13) the Office of Citizenship and Migration Affairs – in matters regarding revocation of Latvian citizenship; and 14) the State Social Insurance Agency – in matters regarding recovery of financial resources in the State budget in the part regarding overpayment of social insurance services or State social allowances or disbursement of social insurance services or State social allowances due to road traffic accidents. (2) If a public prosecutor or state or local government institutions or persons who are conferred the right by law, to defend in court other persons' rights and interests protected by law, of other persons in court, withdraws from an application which has been submitted on behalf of another person, but such person demands adjudication of the matter on the merits, the court costs shall be paid in accordance with generally applicable provisions. (3) The parties may also be exempted from payment of court costs to the State in other cases provided for by law. (4) A court or a judge, upon considering the material situation of a natural person, shall exempt him or her partly or fully from payment of court costs into State revenues, as well as postpone payment of court costs adjudged into State revenues, or divide payment thereof into instalments. (5) In claims for dissolution of marriage upon the request of the plaintiff the judge shall postpone payment of State fees or divide payment thereof into instalments if a minor child is in the care of the plaintiff.

008-1. Please briefly present the methodology of calculation of court taxes or fees:

- Court fees are calculated according to the Civil Procedure Law Article 34 and Administrative Procedure Law Article 124.

008-2. The amount of court fees to commence an action for 3000€ debt recovery:

[355]

[] NA

[] NAP

Comments Civil Procedure Law

Section 34

In regard to claims assessable as a monetary amount:

from 2135 euro to 7114 euro, — 320,10 euro plus 4 % of the amount claimed exceeding 2134 euro

$320,10 \text{ €} + (3000 \text{ €} - 2134 \text{ €}) \times 4 \% = 320,10 \text{ €} + 34,64 \text{ €} = 354,74 \text{ €}$

009. Annual income of court taxes or fees received by the State (in €)

[14460678]

[] NA

[] NAP

Comments

012. Annual approved public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual approved public budget allocated to legal aid (12.1 + 12.2)	2514338 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments Through developing the state ensured legal aid system, the Cabinet of Ministers of the Republic of Latvia has revised amount of the payment due to the legal aid providers for the provision of legal aid, anticipating an annual increase starting with January 1, 2014, January 1, 2015 and July 1, 2016. Moreover additional funds were allocated from the state budget in 2014 to extend the provision of legal aid to the victims (Amendments to the Criminal Procedure Law on May 29, 2014).

012-1. Annual implemented public budget allocated to legal aid, in €.

	TOTAL	Criminal cases	Other than criminal cases
TOTAL - Annual implemented public budget allocated to legal aid (12-1.1 + 12-1.2)	2035197 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.1 for cases brought to court	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12-1.2 for non-litigious cases or cases not brought to court (legal consultation, ADR, etc.)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - If the public budget actually implemented regarding legal aid is different from the annual approved public budget allocated to legal aid, please indicate the main differences: The Cabinet of Ministers Regulations No. 1493 "Regulations on the Extent of the state

Ensured Legal Aid, the Amount of the Payment Due to the Legal Aid Providers, Reimbursable Expenses and Payment Procedure Thereof' of December 22, 2009 provides for the types and extent of legal aid, the amount of payment to be paid to the legal aid providers and the reimbursable expenses arising from the provision of legal aid, as well as the amount and payment procedure thereof. Through developing the state ensured legal aid system, the Latvian Cabinet of Ministers has revised amount of payment to be paid to the legal aid providers from 1 July, 2016.

013. Total annual (approved and implemented) public budget allocated to the public prosecution services, in €.

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the public prosecution services, in €	22557706 <input type="checkbox"/> NA <input type="checkbox"/> NAP	22533408 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Please indicate any useful comment to explain the figures provided. Moreover, if the annual public budget allocated to the public prosecution services actually implemented is different from the approved annual public budget allocated to the public prosecution services, please indicate the main differences:

014. Authorities formally responsible for the budgets allocated to the courts (multiple options possible):

	Preparation of the total court budget	Adoption/approval of the total court budget	Management and allocation of the budget among the courts	Evaluation of the use of the budget at a national level courts
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other ministry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Parliament	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Supreme Court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
High Judicial Council	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Courts	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Inspection body	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If any other Ministry and/or inspection body and/or other, please specify: Court fees are calculated according to the Civil Procedure Law Article 34 and Administrative Procedure Law Article 124. Other Ministry - Ministry of Finance Inspection body - State

According to the Law On Judicial Power Judicial Council gives an opinion about the budget application for courts and land registry offices. According to the Law On Judicial Power the Court Administration is responsible for financial resources of the district (city) courts, regional courts and Land registry Offices, as well as for preparing budget request for courts and Land Registry Offices. The management of finances of the Supreme Court is provided by the Supreme Court's Administration. Funding of the Supreme Court is provided by a separate item in the State budget. The Court accounts for its use of the funds to the Ministry of Finance, to the State Treasury and to the State Auditor.

A2. Please indicate the sources for answering questions 6 to 14:

Sources: 6 - Court Administration, Supreme Court; 9 - Court Administration; 12 - Legal Aid Administration; 13 - General Prosecutor Office

1.1.3. Budgetary data concerning the whole justice system

015-1. Annual (approved and implemented) public budget allocated to the whole justice system, in € (this global budget includes the court system as defined under question 6 and also the prison system, the judicial protection of juveniles, the operation of the Ministry of Justice, etc.).

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	194261318 [] NA [] NAP	191611390 [] NA [] NAP

Please indicate any useful comment to explain the figures provided above and specify if a large portion of the budget allocated to the whole justice system comes from an international organisation. Moreover, if the annual public budget allocated to the whole justice system actually implemented is different from the approved annual public budget allocated to the whole justice system, please indicate the main differences: Budget of Prosecution and Constitutional court were not usually included in this question since these are separate institutions with individual budgets. Prosecution budget is provided in Q13 and Approved budget of Constitutional court is 1484895, but we were not able to acquire implemented budget. We will however include Prosecution office and Constitutional court budgets in this question in next cycles and have marked them in Q15-2 and Q15-3, while we did not change sums given above.

015-2. (Modified question) Please indicate the budgetary elements that are included in the whole justice system by specifying on the one hand the elements of the judicial system budget (please check the consistency with questions 6, 12 and 13). (Note: NAP means that the element does not exist in your system):

	Included
Court (see question 6)	(X) Yes () No [] NAP
Legal aid (see question 12)	(X) Yes () No [] NAP

Public prosecution services (see question 13)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
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Comments:

015-3. (Modified question) On the other hand, please specify the other budgetary elements included in the whole justice system budget. (Note: NAP means that the element does not exist in your system):

	Included
Prison system	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Probation services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Council of the judiciary	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Constitutional court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial management body	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
State advocacy	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Enforcement services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Notariat	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Forensic services	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Judicial protection of juveniles	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Functioning of the Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
Refugees and asylum seekers services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Immigration Service	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Some police services (e.g. : transfer, investigation, prisoners' security)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments - If "other", please specify:

A3. Please indicate the sources for answering questions 15-1, 15-2 and 15-3:

Sources: Ministry of Justice and Court Administration

2. Access to justice and all courts

2.1. Legal Aid

2.1.1. Scope of legal aid

016. Does legal aid apply to:

	Criminal cases	Other than criminal cases
Representation in court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Legal advice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

017. Does legal aid include the coverage of or the exemption from court fees?

Yes

No

Comments - If yes, please specify: Since 1 January, 2016 for all recipients of the state ensured legal aid in civil cases there is automatically base of exemptions from the payment of court costs. In criminal and administrative cases a legal framework provides for exemptions from the payment of court costs both on the basis of law automatically and the judge or the person directing the proceedings deciding on the person exemption from the payment of court costs.

018. Can legal aid be granted for the fees that are related to the enforcement of judicial decisions (e.g. fees of an enforcement agent)?

Yes

No

Comments - If yes, please specify: Answer for Q18 is “No”, but In the Republic of Latvia there is another mechanism how persons receive support at the enforcement of judicial decisions stage – a legal framework that provides for exemptions from the payment to sworn bailiffs of enforcement of the judgment expenditures on the basis of law and in addition sworn bailiffs right to reduce the remuneration fees in another cases.

019. Can legal aid be granted for other costs (different from those mentioned in questions 16 to 18, e.g. fees of technical advisors or experts, costs of other legal professionals (notaries), travel costs etc.)?

	Criminal cases	Other than criminal cases
Legal aid granted for other costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If yes, please specify: indicates that additional persons are exempted, for example, from expertise, interpreters and travel expenses.

In accordance with the Cabinet of Ministers Regulation No 1493 of 22 December 2009 “Regulations Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof” the State shall pay to the provider of legal aid also for drawing up procedural documents in all kind of legal aid cases and for representation in pre-trial criminal proceedings.

2.1.2. Quantitative information on legal aid

020. (Modified question) Please indicate the number of cases for which legal aid has been granted:

	Cases brought to court	Cases not brought to court / non-litigious cases
TOTAL	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
In other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please specify when appropriate: In the Republic of Latvia there is another mechanism - the Civil Procedure Law and the Criminal Procedure Law stipulates which costs, for example, conducting of inspections, costs of the services of an interpreter shall be assumed by the State.

According the State Ensured Legal Aid Law in cross border cases in addition a person has the right to receive the following:

- 1) services of an interpreter;
- 2) a translation of such document requested by the court or the competent authority and submitted by the recipient of legal aid, which is necessary for adjudication of the matter; and
- 3) the payment of such expenses which are related to attendance at court sittings, if the presence of the person in court is provided for in law or if the court requests it, deciding that the relevant person cannot be heard in another way.

In accordance with the Cabinet of Ministers Regulation No 1493 of 22 December 2009 “Regulations Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof”, if the legal aid is provided outside the place of practice of the provider of legal aid, his or her travelling (transport) expenses and hotel (accommodation) expenses shall be covered from the State budget.

In accordance with the Cabinet of Ministers Regulation No 1493 of 22 December 2009 “Regulations Regarding the Amount of State-

ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof” the State shall pay to the provider of legal aid also for drawing up procedural documents in all kind of legal aid cases and for representation in pre-trial criminal proceedings.

021. In criminal cases, can individuals who do not have sufficient financial means be assisted by a free of charge (or financed by a public budget) lawyer?

	Assisted by a free of charge lawyer
Accused individuals	(X) Yes () No
Victims	(X) Yes () No

Comments - If yes, please specify: In accordance with Paragraph one, three and four of Section 80 of the Criminal Procedure Law, an agreement with an advocate regarding defence shall be entered into by the person him or herself or other persons in the interests thereof, if a person, who has the right to defence, has not entered into an agreement regarding defence, but the participation of a defence counsel is mandatory or the person wants that the defence counsel participated, the person directing the proceedings shall notify the senior of the sworn advocates of the territory of the relevant court process regarding the necessity to ensure the participation of a defence counsel in criminal proceedings or in urgent cases, in accordance with Section 81 of this Law, a person directing the proceedings shall invite an advocate in conformity with the schedule of the advocates on duty. In accordance with Paragraph five and six of Section 104 of the Criminal Procedure Law, if the rights of a minor and the protection of the interests thereof are encumbered or otherwise not ensured, or the representatives referred to in Paragraph two of this Section submit a substantiated request, a person directing the proceedings shall take a decision on the retaining of an advocate as the representative of a minor victim. In exceptional cases, the person directing the proceedings shall take a decision on the retaining of the representative – advocate of a victim – poor or low-income person of legal age, if it is otherwise not possible to ensure the protection of the rights and interests of the person in criminal proceedings. In accordance with Paragraph five of Section 108 of the Criminal Procedure Law, the provision of legal assistance to the minor victim and representative of a minor victim is mandatory in criminal proceedings regarding a criminal offence that is related to the violence caused by the person from which the minor victim is materially or otherwise dependent, or for a criminal offence against morals and sexual inviolability. In these cases, the advocate shall be invited in the above order. In all of these cases, the Cabinet of Ministers Regulation No 1493 of 22 December 2009 “Regulations Regarding the Amount of State-ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof”, payment shall be ensured from the funds of the State budget. Section 85 of the Criminal Procedure Law stipulates that the right to exemption from payment for the assistance of a defence counsel shall be determined by a person directing the proceedings by taking the final decision. Section 368 of the Criminal Procedure Law provides that, if a person has been acquitted with a court judgment, procedural expenditures shall be covered from State resources. Procedural expenditures shall be covered from State funds, if the person from whom such expenditures are to be recovered is indigent. A court may release a convicted person from the recovery of procedural expenditures fully or partially in other cases as well, if the recovery may substantially affect the financial situation of a person who is a dependent of such convicted person. State resources shall cover the work of an interpreter, as well as procedural expenditures that are related to the participation of an advocate, on the basis of an assignment, in criminal proceedings, if a person directing the proceedings has released a person, in accordance with the procedures specified by law, from payment for legal assistance.

022. If yes, are individuals free to choose their lawyer within the framework of the legal aid system?

- () Yes
- (X) No

Comments

023. (Modified question) Does your country have an income and assets evaluation for granting (full or partial) legal aid to the applicant? The answer NAP means that there is no income and/or

assets evaluation system for granting legal aid.

	Annual income value (for one person), (in €)	Annual assets value (for one person), (in €)
Full legal aid for criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Full legal aid for other than criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Partial legal aid for criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Partial legal aid for other than criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments - If yes, please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the figures provided above: A person, who has the right to defence, can receive full legal aid with no income and assets evaluation system for granting legal aid in criminal cases, the same for rights of minor victims. Full legal aid to the victim is granted, if person is poor or low-income person of legal age (answer No.21). The natural persons have the right to request legal aid in civil cases if:

- 1) they have obtained the status of a low-income or needy person in accordance with the procedures specified in the regulatory enactments regarding the recognition of a natural person as a low-income or needy person;
- 2) they find themselves suddenly in a situation and material condition which prevents them from ensuring the protection of their rights (due to a natural disaster or force majeure or other circumstances beyond their control), or are on full support of the State or local government;
- 3) they, taking into account their special situation or state of property and income level, are unable to ensure the protection of their rights.

The Cabinet of Ministers determines (Regulation No.1484) in which situation the state of property and income level of the persons shall be regarded as appropriate for the receipt of legal aid in cross border cases, and the procedures for the evaluation thereof.

According to the Cabinet of Ministers Regulation No.299 “Regulations regarding the recognition of a family or person living separately as needy”, adopted 30 March 2010, a person is assigned a poor status. Each municipality is currently given the right to determine a different income level for a low-income person.

024. In other than criminal cases, is it possible to refuse legal aid for lack of merit of the case (for example for frivolous action or no chance of success)?

- Yes
- No

Comments - If yes, please explain the exact criteria for denying legal aid: Legal aid shall be refused if the legal aid requested by a person is unfounded or while if it has been granted and the state legal aid provider indicated in his opinion that in the future it will not be useful, the Legal Aid Administration shall refuse to grant further assistance, or suspend the provision.

From 1st of March 2017 The Administrative court decides on whether state should grant legal aid.

025. In other than criminal cases, is the decision to grant or refuse legal aid taken by (one option only):

- the court
- an authority external to the court
- a mixed authority (court and external bodies)

Comments Almost in all kind of cases there is the Legal Aid administration responsibility to grant or refuse legal aid: in civil cases and the certain kind of administrative cases the Legal Aid Administration has a responsibility to grant or refuse legal aid, in asylum cases the Legal Aid administration receive requests to grant legal aid from The Office of Citizenship and Migration Affairs or The State Border

Guard, in another complicated administrative cases administrative court according the Administrative procedure law decide to grant legal aid or to refuse legal aid

026. Is there a private system of legal expense insurance enabling individuals (this does not concern companies or other legal persons) to finance court proceedings?

() Yes

(X) No

Comments - If appropriate, please inform about the current development of such insurances in your country; is it a growing phenomenon?

027. Can judicial decisions direct how legal costs, paid by the parties during the procedure, will be shared:

	Judicial decisions direct how legal costs will be shared
in criminal cases	(X) Yes () No
in other than criminal cases	(X) Yes () No

Comments

B1. Please indicate the sources for answering questions 20 and 23 :

Sources: Legal Aid Administration; Ministry of Justice

2.2.Users of the courts and victims

2.2.1.Rights of the users and victims

028. Are there official internet sites/portals (e.g. Ministry of Justice, etc.) for which the general public may have free of charge access to the following:

	Yes, please indicate the internet adresse(es)	No
legal texts (e.g. codes, laws, regulations, etc.)	(X) www.likumi.lv	()
case-law of the higher court/s	(X) manas.tiesas.lv & http://at.gov.lv/lv/judikatura/judikaturas-nolemumu-arhivs	()
other documents (e.g. downloadable forms, online registration)	(X) http://www.jpa.gov.lv/kompensacijas-cietusajiem60	()

Comments - Please specify what documents and information the addresses for “other documents” include: Other documents include downloadable form of the state compensation claim for victim of crime.

029. (Modified question) Is there an obligation to provide information to the parties concerning the

foreseeable timeframes of proceedings?

Yes, always

No

Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify: There are several IT tools like "Court calendar", "Track court proceedings" and also every court has its own timeframe standard.

030. Is there a public and free-of-charge specific information system to inform and to help victims of crime?

Yes

No

Comments - If yes, please specify: In 2014 there has been a change in the legislative framework for the development of crime victim support system through a telephone advisory for victims starting in January 2015. Legal Aid Administration task is to ensure a consultative phone activities in order to have easy, fast and free information on available support for victims. Victim support phone was implemented in accordance with the European Parliament and the Council 25 October 2012 of Directive 2012/29/EU on laying down standards on the rights, support and protection of minimum standards for victims of crime.

On 1st of January 2016 entered into force the amendments in the Cabinet Regulations Nr. 869 "Regulations of the Legal Aid Administration", adopted on 15 November 2005, and accordingly to the delegation in the above Cabinet Regulations the association "Skalbes" on a basis of concluded a delegation agreement with Legal Aid Administration opened for operation the telephone number 116006 "Helpdesk for Victims of Crime", which provides victims of crime with emotional and psychological support and information on the victims' procedural rights and access to relevant organizations and information. Also victim support website <http://www.cietusajiem.lv/lv/> became available for the victims of crime, where is useful information for victims of crime, their family members and witnesses. In addition State Aid Administration according to the law "On state compensation on victims" performing its main function helps people who are recognized as victims of the crime according the above-mentioned law. Every person can visit Legal Aid Administration website following this link <http://www.jpa.gov.lv/viegli-lasit-eng> and obtain free of charge information concerning victims of the crime. Furthermore, there is state guaranteed legal aid and free helpline for victims of crime at +371 80001801 that provides informational and psychological support. Victims of the crime can visit Legal Aid Administration to get some necessary information and also come the counselling free of charge sessions.

031. Are there special favourable arrangements to be applied, during judicial proceedings, to the following categories of vulnerable persons:

	Information mechanism	Special arrangements in hearings	Other specific arrangements
Victims of sexual violence/rape	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of terrorism	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Minors (witnesses or victims)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Victims of domestic violence	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ethnic minorities	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disabled persons	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Juvenile offenders	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other (e.g. victims of human trafficking, forced marriage, sexual mutilation)	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - If “other vulnerable person” and/or “other special arrangements”, please specify: On 18 of February 2016 amendments in the Criminal Procedure Law (thereafter – CPL) related to the rights of victims were adopted. In order to better protect interests of the victims taking into account their special needs, the category of specially protected victim has been introduced in the CPL section 96.1 According to this provision a specially protected victim is a minor; a person who is not able to completely exercise his or her procedural rights due to a mental or other health impairment; a person who has suffered from a criminal offence directed against the morality or gender inviolability of a person, or from human trafficking; a person who has suffered from a criminal offence related to violence or threat of violence and committed by a relative, former spouse of the victim or by a person with whom the victim was in unregistered spousal relationship; a person who as a result of a criminal offence has been, possibly, inflicted serious bodily injuries or mental impairments; a person who has suffered from a criminal offence, possibly, committed due to racial, national, ethnic, or religious reasons.

The fundamental rights of the victim have been improved and set in the section 97.1 of the CPL which gives rights to participate in criminal proceedings, using the language in which he or she is fluent, if necessary, using the assistance of an interpreter without remuneration. According to the section 321 (2) if a victim who does not know the official language and whose permanent place of residence is in a foreign state can place the request to receive a written translation of the ruling and such written translation shall be send to the person directing the proceedings.

There were also amendments made in the section 450 (2) determining that a criminal case regarding a criminal offence against the morality and gender inviolability shall be tried in a closed court session.

031-1. Is it possible for minors to be a party to a judicial proceeding:

(X) Yes

() No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can children benefit from legal aid, be represented by a lawyer, etc.): According to part 2, 3 and 4 of Section 72 of Latvian Civil Procedure law court cases for natural persons from 15 to 18 years of age shall be conducted by their statutory representatives [..]. In cases conducted by representatives of the abovementioned persons the court shall also invite such persons themselves to participate. Court cases shall be conducted, for natural persons who have not attained the age of 15 by their statutory representatives. In cases laid down in law, minors are entitled to independently exercise their civil-procedural rights and to perform obligations. In such case the statutory representatives of such persons may, in the discretion of the court, be called upon to assist such persons in conducting the case.

032. Does your country allocate compensation for victims of crime?

(X) Yes, please specify for which kind of offences: The purpose of Law On State Compensation to Victims is to provide a natural person who, in accordance with the procedures laid down in the Criminal Procedure Law, has been recognised a victim with the right to receive a State compensation for moral injury, physical suffering or financial loss resulting from an intentional criminal offence. The right to the State compensation shall exist, if as a result of an intentional criminal offence: 1) the death of the person has occurred; 2) severe or moderate bodily injuries to the victim have been caused; 3) morality or sexual inviolability of the person has been violated; 4) the victim is a victim of trafficking in human beings; 5) the victim has been infected with human immunodeficiency virus, Hepatitis B or C.

() No

Comments The purpose of Law On State Compensation to Victims is to provide a natural person who, in accordance with the procedures laid down in the Criminal Procedure Law, has been recognised a victim with the right to receive a State compensation for moral injury, physical suffering or financial loss resulting from an intentional criminal offence. The right to the State compensation shall exist, if as a result of an intentional criminal offence:

- 1) the death of the person has occurred;
- 2) severe or moderate bodily injuries to the victim have been caused;
- 3) morality or sexual inviolability of the person has been violated;

- 4) the victim is a victim of trafficking in human beings;
- 5) the victim has been infected with human immunodeficiency virus, Hepatitis B or C.

032-1. (New question) Is a court decision necessary in the framework of the compensation procedure?

- Yes
- No

Comments In order to receive the state compensation, the person must complete and submit to the Legal Aid Administration the state compensation request form, which must be supplemented by relevant documents:

- certification from the person directing the proceedings, if the compensation is being sought in criminal proceedings before the time when final decision is made;
- final decision of the person directing the proceedings having entered into force, if at the time of the state compensation request criminal proceedings are completed or decision of the person directing the proceedings has entered into force on criminal proceedings to be terminated due to circumstances non-rehabilitating for the person. If award specified by the court judgment or by final decision of the person directing the proceedings under criminal proceedings or civil proceedings for the injury incurred due to offence-related harm is not implemented or not implemented in full, copies of executive document shall be enclosed with final decision of the person directing the proceedings.

033. If yes, does this compensation come from:

- a public fund
- damages and interests to be paid by the person responsible
- a private fund

Comments

034. Are there studies that evaluate the recovery rate of the damages awarded by courts to victims?

- Yes
- No

Comments - If yes, please illustrate with available data concerning the recovery rate, the title of the studies, the frequency of the studies and the coordinating body:

035. Do public prosecutors have a specific role with respect to the victims (protection and assistance)?

- Yes
- No

Comments - If yes, please specify: In accordance with Section 96 of the Criminal Procedure Law, the processor must inform the person in advance about his or her right to be recognized as a victim. In turn, in accordance with the first part of Section 98 of the said law, the processor must inform the victim of the progress of criminal proceedings in criminal proceedings for a crime involving violence or directed against sexual integrity or morals if the victim has applied for such a request.

036. Do victims of crime have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of question 105 regarding the possibility for a public prosecutor "to discontinue a case without needing a decision by a judge". (The answer NAP means that the public prosecutor cannot decide to discontinue a case on his/her own. A decision by a judge is needed.)

Yes

No

NAP

Comments - If necessary, please specify:

2.2.2. Confidence of citizens in their justice system



037. (Modified question) Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	33 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	68912 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Excessive length of proceedings	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Non-execution of court decisions	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful arrest	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Wrongful conviction	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Where appropriate, please give details on the compensation procedure and the calculation method for the amount of the compensation (e.g. the amount per day for unjustified detentions or convictions): The Law on Compensation for Damages Caused by Unlawful or Unfounded Actions of Investigators, Prosecutors or Judges (Par izzias izdartja, prokurora vai tiesneša nelikumgas vai nepamatotas rcbas rezultt nodarto zaudjumu atldzinšanu; hereafter – “the Law on Compensation”) determines the extent and the procedure of recovering losses, which as a result of the unlawful or groundless action of an investigator, prosecutor or judge in the course of fulfilling their official duties, are caused to natural

persons, as well as establishes the procedure in which the offended social and employment guarantees of such persons are ensured.

Article 2 of the Law on Compensation determines that legal basis for compensation for losses is: 1) a judgment of acquittal, regardless of the reason for acquittal; 2) termination of a criminal case due to person's exonerating circumstances; 3) recognition of an administrative apprehension as unlawful, and termination of the administrative proceedings.

Paragraph 1 of Article 7 of the Law on Compensation determines that the requests for damages must be submitted to the Ministry of Justice or the Office of the Prosecutor General, depending on the stage in which the proceedings have been terminated.

Paragraph 3 of Article 5 of the Law on Compensation determines that the in relation to non-pecuniary damages, a person is entitled to submit a civil claim to a court of general jurisdiction. The court of general jurisdiction determines the amount of the compensation in civil cases considering the severity of the non-pecuniary damage and other circumstances, for example, excessive length of proceedings.

The Ministry of Justice collects information only about the total number of requests for compensation and the total paid amount.

038. (Modified question) Did your country implement surveys aimed at legal professionals and court users to measure their trust in justice and their satisfaction with the services delivered by the judicial system? If yes, how frequently and up to what level?

	National level	Court level
1. (Satisfaction) surveys aimed at judges	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
2. (Satisfaction) surveys aimed at court staff	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
3. (Satisfaction) surveys aimed at public prosecutors	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input checked="" type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
4. (Satisfaction) surveys aimed at lawyers	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
5. (Satisfaction) surveys aimed at the parties	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
6. (Satisfaction) surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies)	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
7. (Satisfaction) surveys aimed at victims	<input type="checkbox"/> Annual <input checked="" type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc
8. Other not mentioned	<input type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc	<input checked="" type="checkbox"/> Annual <input type="checkbox"/> Other regular <input type="checkbox"/> Ad hoc

Comments - Please, indicate the references and links to the satisfaction surveys you mentioned above:

http://providus.lv/article_files/2725/original/Prokuroru_rokasgramata.pdf?1415353344 (Page 12.-13.)

In 2014 Court Administration made a sociological survey "Confidence to Latvian judicial system", where also the assessment of judicial modernization impact on the court work was measured.

Other - Court administration annually makes internal surveys to the courts and Land Registry Offices in order to measure the satisfaction with the work of the Court Administration.

Starting from the 2015 in the national court portal www.tiesas.lv is published the surveys in order to improve the work of the judicial organization. Surveys is developed for court users and for sworn advocates, prosecutors and lawyers.

About (satisfaction) surveys aimed at judges and (satisfaction) surveys aimed at court staff - The Latvian Judicial Training Centre (LJTC) after the training of judges carries out surveys. They are not published.

<http://jpa.gov.lv/pub/?id=65>

040. Is there a national or local procedure for making complaints about the functioning of the judicial system? (for example the handling of a case by a judge or the duration of a proceeding)

Yes

No

Comments

041. (Modified question) If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Time limit for dealing with the complaint
Court concerned	(X) Yes () No	(X) Yes () No
Higher court	(X) Yes () No	(X) Yes () No
Ministry of Justice	(X) Yes () No	(X) Yes () No
Council of the Judiciary	() Yes (X) No	() Yes (X) No
Other external bodies (e.g. Ombudsman)	(X) Yes () No	(X) Yes () No

041-1. (Modified question) Please specify further certain aspects of this procedure:

	Number of complaints	Compensations amount granted to users
Court concerned	[X] NA [] NAP	[X] NA [] NAP
Higher court	1012 [] NA [] NAP	[X] NA [] NAP
Ministry of Justice	443 [] NA [] NAP	[X] NA [] NAP
Council of the Judiciary	[] NA [X] NAP	[] NA [X] NAP
Other external bodies (e.g. Ombudsman)	[X] NA [] NAP	[X] NA [] NAP

Comments - If possible, please give information concerning the efficiency of this complaint procedure and any useful comment:

3. Organisation of the court system

3.1. Courts

3.1.1. Number of courts

042. Number of courts considered as legal entities (administrative structures) and geographic locations

	Number of courts
42.1 First instance courts of general jurisdiction (legal entities)	28 [] NA [] NAP

42.2 First instance specialised courts (legal entities)	1 [] NA [] NAP
42.3 All the courts (geographic locations) (this includes 1st instance courts of general jurisdiction, first instance specialised courts, all second instance courts and courts of appeal and all supreme courts)	42 [] NA [] NAP

Comments There is only one specialised court the administrative court with 5 court houses

043. Number (legal entities) of first instance specialised courts (or specific judicial order)

	Number of courts
Total (must be the same as the data given under question 42.2)	1 [] NA [] NAP
Commercial courts (excluded insolvency courts)	[] NA [X] NAP
Insolvency courts	[] NA [X] NAP
Labour courts	[] NA [X] NAP
Family courts	[] NA [X] NAP
Rent and tenancies courts	[] NA [X] NAP
Enforcement of criminal sanctions courts	[] NA [X] NAP
Fight against terrorism, organised crime and corruption	[] NA [X] NAP
Internet related disputes	[] NA [X] NAP
Administrative courts	1 [] NA [] NAP
Insurance and / or social welfare courts	[] NA [X] NAP
Military courts	[] NA [X] NAP
Other specialised 1st instance courts	[] NA [X] NAP

Comments - If "other specialised 1st instance courts", please specify: There is only one specialised court the administrative court with 5

044. Is there a foreseen change in the structure of courts [for example a reduction of the number of courts (geographic locations) or a change in the powers of courts]?

Yes

No

Comments - If yes, please specify: Starting from 1 of February 2016, the reform has been introduced in Latgale (administrative region of Latvia). A number of district (city) courts in territory of Latgale regional court was decreased from six to two district (city) courts (Balvi District Court and Ludza District Court had been incorporated into Rezekne District Court; Kraslava district court and Preili District Court had been incorporated into Daugavpils District Court).

in 2016, Ministry of Justice make preparatory work to make court house reform in two district (city) court in the Rigas region. Accordingly, starting from 1 of February 2017, the City of Rga Zemgale Urban District Court has been reorganized and conjoined with the City of Rga Kurzeme District Court and changed the name of this court to City of Rga Prdaugavas Court.

045. Number of first instance courts (geographic locations) competent for a case concerning:

	Number of courts
a debt collection for small claims	28 [] NA [] NAP
a dismissal	28 [] NA [] NAP
a robbery	28 [] NA [] NAP

Comments

045-1. (New question) Is your definition for small claims the same as the one in the Explanatory note?

Yes

No, please give your definition for small claims: A judge shall commence a case regarding small claims on the basis of a written statement of claim, if a principal debt or in claim regarding the recovery of maintenance the total amount of payments does not exceed EUR 2100 on the day when the claim was submitted.

Comments

045-2. (New question) Please indicate the value in € of a small claim:

[2100]

Comments

C. Please indicate the sources for answering questions 42, 43 and 45:

Sources: 42., 43. 250-19. - Law on Judicial Power.

3.2. Court staff

3.2.1. Judges and non-judge staff



046. Number of professional judges sitting in courts (if possible on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of professional judges (1 + 2 + 3)	503 [] NA [] NAP	110 [] NA [] NAP	393 [] NA [] NAP
1. Number of first instance professional judges	313 [] NA [] NAP	60 [] NA [] NAP	253 [] NA [] NAP
2. Number of second instance (court of appeal) professional judges	143 [] NA [] NAP	35 [] NA [] NAP	108 [] NA [] NAP
3. Number of supreme court professional judges	47 [] NA [] NAP	15 [] NA [] NAP	32 [] NA [] NAP

Comment - Please provide any useful comment for interpreting the data above:

047. Number of court presidents (professional judges). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	33 [] NA [] NAP	10 [] NA [] NAP	23 [] NA [] NAP
1. Number of first instance court presidents	26 [] NA [] NAP	7 [] NA [] NAP	19 [] NA [] NAP
2. Number of second instance (court of appeal) court presidents	6 [] NA [] NAP	2 [] NA [] NAP	4 [] NA [] NAP
3. Number of supreme court presidents	1 [] NA [] NAP	1 [] NA [] NAP	0 [] NA [] NAP

Comments Due to court reform the number of courts and consequently court presidents decreased.

048. Number of professional judges sitting in courts on an occasional basis and who are paid as such (if possible on 31 December of the reference year):

Figure

Gross figure	[] NA [X] NAP
In full-time equivalent	[] NA [X] NAP

Comments - If necessary, please provide comments to explain the answer provided:

048-1. (New question) Do these professional judges sitting in courts on an occasional basis deal with a significant part of cases?

() Yes, please give specifications on the types of cases and an estimate in percentage.

(X) No

Comments

049. (Modified question) Number of non-professional judges who are not remunerated but who can possibly receive a simple defrayal of costs (if possible on 31 December of the reference year) (e.g. lay judges and “juges consulaires”, but not arbitrators and persons sitting in a jury):

	Figure
Gross figure	[] NA [X] NAP
In full time equivalent	[] NA [X] NAP

Comments

049-1. If such non-professional judges exist in first instance in your country, please specify for which types of cases:

	Yes	No	Echevinage
in criminal law cases	()	(X)	()
- severe criminal cases	()	(X)	()
- misdemeanour and/or minor criminal cases	()	(X)	()
in family law cases	()	(X)	()
in civil cases	()	(X)	()
in labour law cases	()	(X)	()
in social law cases	()	(X)	()
in commercial law cases	()	(X)	()

in insolvency cases	()	(X)	()
other	()	(X)	()

Comments - If "other", please specify:

050. Does your judicial system include trial by jury with the participation of citizens?

() Yes

(X) No

Comments

050-1. (New question) If yes, for which type of case(s)? (Please, for severe criminal cases and misdemeanour cases refer to the CEPEJ definitions)

[] Severe criminal cases

[] Misdemeanour cases

[] Other cases

Comments

051. Number of citizens who were involved in such juries for the year of reference:

[]

[] NA

[X] NAP

Comments

052. Number of non-judge staff who are working in courts (on 31 December of the reference year) (this data should not include the staff working for public prosecutors; see question 60) (please give the information in full-time equivalent and for permanent posts actually filled)

	Total	Males	Females
Total non-judge staff working in courts (1 + 2 + 3 + 4 + 5)	1582 [] NA [] NAP	128 [] NA [] NAP	1454 [] NA [] NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Non-judge staff whose task is to assist the judges such as registrars (case file preparation, assistance during the hearing, court recording, helping to draft the decisions)	1071 [] NA [] NAP	65 [] NA [] NAP	1006 [] NA [] NAP

3. Staff in charge of different administrative tasks and of the management of the courts (human resources management, material and equipment management, including computer systems, financial and budgetary management, training management)	355 [] NA [] NAP	34 [] NA [] NAP	321 [] NA [] NAP
4. Technical staff	142 [] NA [] NAP	26 [] NA [] NAP	116 [] NA [] NAP
5. Other non-judge staff	14 [] NA [] NAP	3 [] NA [] NAP	11 [] NA [] NAP

Comments - If "other non-judge staff", please specify:

053. (Modified question) If there are Rechtspfleger (or similar bodies) in your judicial system, please specify in which fields do they have a role:

- legal aid
- family cases
- payment orders
- registry cases (land and/or business registry cases)
- enforcement of civil cases
- enforcement of criminal cases
- other cases not mentioned (please describe in comment)
- non-litigious cases

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services, which fall within their powers, to private providers?

- Yes
- No

Comments

054-1. (New question) If yes, please specify which services have been outsourced:

- IT services
- Training of staff
- Security
- Archives
- Cleaning
- Other types of services (please specify):

Comments Supreme Court - Cleaning services, labour safety and fire safety services, training of personnel, services necessary for ensuring of business trips, translation services, technical support for infrastructure. District (city) courts, regional courts, Administrative district and regional courts - cleaning, trainings, security, repairs work, delivery of goods, services necessary for ensuring of business

C1. Please indicate the sources for answering questions 46, 47, 48, 49 and 52

Sources: Court Administration

3.3. Public prosecution**3.3.1. Public prosecutors and staff**

055. Number of public prosecutors (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled for all types of courts - general jurisdiction and specialised courts.

	Total	Males	Females
Total number of prosecutors (1 + 2 + 3)	451 [] NA [] NAP	172 [] NA [] NAP	279 [] NA [] NAP
1. Number of prosecutors at first instance level	297 [] NA [] NAP	103 [] NA [] NAP	194 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	78 [] NA [] NAP	33 [] NA [] NAP	45 [] NA [] NAP
3. Number of prosecutors at supreme court level	76 [] NA [] NAP	36 [] NA [] NAP	40 [] NA [] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices (on 31 December of the reference year). Please give the information in full-time equivalent and for permanent posts actually filled, for all types of courts – ordinary and specialised jurisdictions.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	61 [] NA [] NAP	31 [] NA [] NAP	30 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	41 [] NA [] NAP	20 [] NA [] NAP	21 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	10 [] NA [] NAP	5 [] NA [] NAP	5 [] NA [] NAP
3. Number of heads of prosecution offices at supreme court level	10 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP

Please provide any useful comment for interpreting the data above: Data includes the position of the deputy Head Prosecutor, who is also the position of a higher prosecutor in the Prosecutor's Office.

057. Do other persons have similar duties to public prosecutors?

- Yes, please specify their number (in full-time equivalent):
- No

Comments - If yes, please specify their title and functions:

059. If yes, is their number included in the number of public prosecutors that you have indicated under question 55?

- Yes
- No

Comments

059-1. Do prosecution offices have specially trained prosecutors in domestic violence and sexual violence etc.?

- Yes
- No

Comments

060. Number of staff (non-public prosecutors) attached to the public prosecution service (on 31 December of the reference year) (without the number of non-judge staff, see question 52) (in full-time equivalent and for permanent posts actually filled).

	Total	Males	Females
Number of staff (non-public prosecutors) attached to the public prosecution service	392 [] NA	106 [] NA	286 [] NA

Comments

C2. Please indicate the sources for answering questions 55, 56 and 60

Sources: Court Administration

3.4. Management of the court budget

3.4.1. Court budget

061. Who is entrusted with responsibilities related to the budget within the court?

Preparation of the budget	Arbitration and allocation of the budget	Day to day management of the budget	Evaluation and control of the use of the budget

Management Board	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court President	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Court administrative director	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Head of the court clerk office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments - If "other", please specify: Head of court clerk office and even Court president can formally request material-technical means, but Court Administration is responsible for the decision making

3.6. Performance and evaluation

3.6.1. National policies applied in courts and public prosecution services

066. Are quality standards determined for the judicial system (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify: Partly yes, according to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co-operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

First standarts of time periods for adjudication of matters were submitted to the Board of Justice in 2014.

067. Do you have specialised court staff that is entrusted with these quality standards?

Yes

No

Comments

068. Is there a national system to evaluate the overall (smooth) functioning of courts on the basis of an evaluation plan agreed beforehand?

Yes

No

Comments

068-1. (New question) If yes, please specify the frequency of this evaluation:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify:

069. Is there a system for monitoring and evaluating the performance of the public prosecution service?

Yes

No

Comments - If yes, please give further details: The work of the prosecutors, not counting the highest prosecutor's control over the lower standing prosecutors, is evaluated by the Prosecutors' Certification and Qualifications Commission (depending on position - every 3-5 years) regarding the assignment of the post of prosecutor.

Similarly, the Prosecutors' Certification and Qualifications Commission or the Chief Prosecutor of the General Prosecutor's Office may propose to the Prosecutor General or the Council of the Prosecutor General to carry out a complex examination of the work of the chief prosecutor, the chief prosecutor or the prosecutor. If the examination reveals significant deficiencies, attention is paid to the specific quality of work of the prosecutor's departments or to the problem and its manifestations found in all departments of the prosecution service.

Even before the appointment of a prosecutor, the Appeals Commission of the Prosecutor General and the Deputy Prosecutor General assesses the quality of his work as well as the work of their subordinate prosecutors.

Also, prosecutors' control is also carried out in the function of a higher prosecutor's duties. Such higher prosecutor's duties are determined both by procedural laws and by internal regulations issued by the Attorney General.

Also, the Prosecutor's Office sets annual priorities for action, as well as twice a year approves the work plan of the Prosecutor's Office. In turn, the general prosecutor annually publicly presents a report on the results of the work of the Prosecutor's Office.

Since January 1, 2014, professional activities of the prosecutors are evaluated regularly (at least every five years). Assessing the professional activities of the prosecutor, the quality of the performance, the organization of individual work, participation in qualification enhancement measures, labour statistics indicators, as well as other criteria provided for in the statute of appraisal of professional activities of prosecutors are analysed.

3.6.2. Performance and evaluation of courts

070. Do you have, within the courts, a regular monitoring system of court activities concerning:

number of incoming cases

number of decisions delivered

number of postponed cases

length of proceedings (timeframes)

age of cases

other (please specify):

Comments Decision stability (proportion of decisions appealed in higher instance)

071. Do you monitor backlogs and cases that are not processed within a reasonable timeframe for:

civil law cases

criminal law cases

administrative law cases

Comments

072. Do you have an evaluation process to monitor waiting time during court procedures?

Yes

No

Comments - If yes, please specify:

073. Do you have a system to evaluate regularly the activity (in terms of performance and output) of each court?

Yes

No

Comments

073-0. (New question) If yes, please specify the frequency:

Annual

Less frequent

More frequent

Comments - If "less frequent" or "more frequent", please specify: Latvia has the Court Information System it contains statistical data about court performance. The statistical data have been published in the e-portal: www.tiesas.lv and regularly analysed by Court administration and MoJ.

073-1. Is this evaluation of the court activity used for the later allocation of means to this court?

Yes

No

Comments

074. Are there performance targets defined at the level of the court?

Yes

No

Comments

075. (Modified question) Please specify the main targets applied to the courts:

to increase efficiency / to shorten the length of proceedings

to improve quality

to improve cost efficiency / productivity

Other (please specify):

Comments According to the Law on Judicial Power Section 27.1. chief judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in co- operation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year. First standards of time periods for adjudication of matters were submitted to the Board of Justice in 2014. To determine the standard of time periods for adjudication of matters such targets as: clearance rate, disposition time and Case Turnover ratio- should be also calculated.

076. Who is responsible for setting the targets for the courts?

- Executive power (for example the Ministry of Justice)
- Legislative power
- Judicial power (for example High Judicial Council, Higher Court)
- President of the court
- Other (please specify):

Comments

077. Concerning court activities, have you defined performance and quality indicators (if no, please skip to question 79)

- Yes
- No

Comments

078. If yes, please select the main performance and quality indicators that have been defined:

- incoming cases
- length of proceedings (timeframes)
- closed cases
- pending cases and backlogs
- productivity of judges and court staff
- percentage of cases that are processed by a single sitting judge
- enforcement of penal decisions
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- judicial quality and organisational quality of the courts
- costs of the judicial procedures
- number of appeals

other (please specify): Please, see question No 66. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court should approve this standard. The guidelines approved by the Judicial Council are used to plan standards of time periods for adjudication of matters.

079. Who is responsible for evaluating the performance of the courts (multiple options possible) :

- High Council of judiciary
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body

Other (please specify): Court Administration – according to the Law on Judicial Power Section 107.1 states that the Court Administration is a direct administrative institution subordinate to the Minister for Justice, which shall organise and ensure the administrative work of district (city) courts, regional courts and Land Registry Offices.

3.6.3. Court activity and administration

080. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the courts and judiciary?

Yes (please indicate the name and the address of this institution): The Court Administration of Latvia, Antonijas iela 6, Riga, LV-1010

No

Comments

080-1. Does this institution publish statistics on the functioning of each court:

Yes, on internet

No, only internally (in an intranet website)

No

Comments

081. Are individual courts required to prepare an activity report (that includes, for example, data on the number of cases processed or pending cases, the number of judges and administrative staff, targets and assessment of the activity)?

Yes

No

Comments - If yes, please describe the content of the report and its audience (i.e. to whom the report is intended): Court Administration provides statistics for most of the courts with the exception for Supreme court, that provides data individually. Individual court reports are made by its staff for the purpose of planning their day-to-day work. It is not required by law or Court Administration. These courts however use data provided by Court Administration that is available online.

081-1. If yes, please specify in which form this report is released:

Internet

Intranet (internal) website

Paper distribution

Comments Individual court reports are made by its staff for the purpose of planning their day-to-day work. It is not required by law or Court Administration. These courts however use data provided by Court Administration that is available online. There are publicly available statistical reports for all courts and cases at <http://tis.ta.gov.lv>

081-2. (New question) If yes, please, indicate the periodicity at which the report is released:

Annual

Less frequent

More frequent

Comments

082. (Modified question) Is there a process or structure of dialogue between the public prosecutor service and courts as regards the way cases are presented before courts (for example the

organisation, number and planning of hearings, on-call service for urgent cases, selection of simplified procedures of prosecution...)?

Yes

No

Comments - If yes, please specify:

082-1. (Modified question) Is there a process or structure of dialogue between lawyers and courts as regards the way cases are presented before courts in other than criminal matter (e.g. organisation, number and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify:

3.6.4. Performance and evaluation of judges

083. Are there quantitative performance targets (for instance a number of cases to be addressed in a month) defined for each judge?

Yes

No

Comments

083-1. Who is responsible for setting the targets for each judge?

Executive power (for example the Ministry of Justice)

Legislative power

Judicial power (for example the High Judicial Council, Supreme Court)

President of the court

Other (please specify):

Comments

New node

4. Fair trial

4.1. Principles

4.1.1. Principles of fair trial

084. Percentage of first instance criminal in absentia judgments (cases in which the suspect is not attending the hearing in person nor represented by a lawyer)?

[]

NA

NAP

085. Is there a procedure to effectively challenge a judge if a party considers that the judge is not impartial?

Yes, number of successful challenges in a year NA

No

Comments - Please could you briefly specify: If not sustained, such cases are only mentioned in case protocol and thus hard to account for.

086. Is there in your country a monitoring system for the violations related to Article 6 of the European Convention on Human Rights?

	Monitoring system
For civil procedures (non-enforcement)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For civil procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP
For criminal procedures (timeframe)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments - Please, specify what are the terms and conditions of this monitoring system (information related to violations at the State/courts level; implementation of internal systems to remedy the established violation; implementation of internal systems to prevent other violations (that are similar) and if possible to measure an evolution of the established violations: Review procedure - According to part 1 of Section 478 of Latvian Civil Procedure Law a new examination of the case in connection with newly-discovered circumstances shall be initiated according to application by a participant in the case. The application shall be submitted to the same court by a judgment or decision of which examination of the case on the merits is completed. In Accordance to paragraph 6 of Section 479 of Latvian Civil Procedure Law one of the newly-discovered circumstances can be a ruling of the European Court of Human Rights [...] in such case, out of which it arises that court proceedings should be commenced anew. In such case the court, when giving a ruling in the resumed case, must base on the facts established in the ruling of the European Court of Human Rights [...] and their judicial assessment.

Of course, matters are not always reviewed, as this is only one of the irregularity mechanisms and it is not used in each case. There are also other mechanisms, for example, representatives from the Bureau of the Representative of the Latvian Government before International Human Rights Organisations (hereafter – the Bureau) takes part in the standing working group of the Ministry of Justice that evaluates Judgments of the European Court of Human Rights against Latvia. Reports on the assessment of these judgments are presented to determine what actions, if any, must be taken. If, regarding a judgment of the European Court of Human Rights, it is necessary to amend the Civil Procedure Law, representatives of the Bureau also participate in the Standing Working Group for the Drafting of Amendments to the Civil Procedure Law, established by the Ministry of Justice. It should be noted that already adjudication of matters in a court within reasonable time period is ensured through Section 27.1 of law On Judicial Power which states that a Chief Judge of a court shall plan and determine the objectives of the court work in relation to average time periods for adjudication of matters in a court (the standard of time periods for adjudication of matters) prior to the beginning of each calendar year in cooperation with court judges. The standard of time periods for adjudication of matters shall be determined, taking into account the court resources and the necessity to ensure the right of a person to adjudication of a matter in a reasonable time period and in conformity with other basic principles for examination of matters. A Chief Judge of a court shall approve the standard of time periods for adjudication of matters in a court and supervise the actual time periods of examining matters in a court. A Chief Judge of a court shall submit information to the Board of Justice regarding the approved standard of time periods for adjudication of matters until 1 February of each year.

Also, adjudication of matters in a court within reasonable time period is ensured through Section 32.1 of the Law on Civil Procedure which regulates the transfer of a case accepted for examination to another court to ensure faster examination of a case.

In the context of the mechanism for preventing offenses in relation of the length of the adjudication process, it should be noted that the Standing Working Group for the Drafting of Amendments to the Civil Procedure Law is constantly discussing how to ensure that the cases are adjudicated within a reasonable timeframe and what safeguards can be used by the participants in the adjudication process if the trial is unduly delayed.

D1. Please indicate the sources for answering questions in this chapter.

Sources: Court Administration of Latvia, Ministry of Justice

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters as regards:

civil cases

criminal cases

administrative cases

There is no specific procedure

Comments - If yes, please specify: In cases regarding annulment of marriage upon a request of a party a court or judge may take a decision which temporarily, until the judgment on divorce or annulment of marriage is given, specifies the place of residence of the child, the procedures for child care, the procedures for exercising access rights, child maintenance, prohibition to taking the child out of the State, means for the provision of the previous welfare level of the spouse, procedures for use of the joint home of the spouses or instructs one of the parties to issue to the other party household and personal articles. A request for child maintenance and means for the provision of the previous welfare level of the spouse shall be examined in the written procedure (decision regarding maintenance cannot not be appealed). A request for the place of residence of a child, the procedures for child care, the procedures for exercising access rights, prohibition to take the child out of the State, procedures for use of the joint home of the spouses or instruction for one of the parties to issue to the other party household and personal effects shall be examined in a court hearing. The court or judge shall examine the request of the party and take a decision within a month from the day of receipt of the request. The decision shall be enforced without delay. The decision shall become invalid, if other decision or judgment is taken in the relevant claim. (Section 238.1 of Latvian Civil Procedure Law)

In cases arising from the custody rights and access rights on the basis of a request from the parties the court or judge shall take a decision with which for a period to the giving of a judgment shall determine the place of residence of the child, the procedures for the care of the child, the procedures for the exercising of access rights, child maintenance, and a prohibition to taking the child out of the State. A request for child maintenance shall be examined in the written procedure (decision regarding maintenance cannot not be appealed). The court or judge shall examine the request of the party and take a decision within a month from the day of receipt of the request. The decision shall be enforced without delay. The decision shall become invalid, if other decision or judgment is taken in the relevant claim. (Section 244.10 of Latvian Civil Procedure Law)

In cases regarding determination of the parentage of children upon a request of the party the court or judge shall take a decision by which a prohibition to take the child out of the State until a judgment is given in the case regarding determining the origin of the child. A request regarding prohibition to take the child out of the State shall be examined in a court hearing. The court or judge shall examine the request of the party and take a decision within a month from the day of receipt of the request. The decision shall be enforced without delay. The decision shall become invalid, if other decision or judgment is taken in the relevant claim. (Section 249.3 of Latvian Civil Procedure Law)

If a person has a reason to believe that the submission of the necessary evidence on their behalf may later be impossible or problematic, they may request for such evidence to be secured. Applications for securing evidence may be submitted at any stage of the proceedings, as well as prior to the bringing of an action to a court. (Section 98 of Latvian Civil Procedure Law)

The application before bringing an action before a court for securing evidence shall be decided by a court or a judge within ten days of its receipt. (Section 100 of Latvian Civil Procedure Law)

If there are reasonable grounds to believe that enforcement of the court judgment in the case may become problematic or impossible, the court or judge may upon a reasoned application of the plaintiff take a decision to secure a claim. Securing of claims may be allowed only in claims of a financial nature. (Section 137 of Latvian Civil Procedure Law) A decision on an application for securing a claim shall be taken by a court or a judge not later than the day following receipt thereof, without giving prior notice to the defendant and other participants in the case. In deciding an issue regarding securing of a claim, a court or judge shall take into account prima facie formal legal grounds and proportionality between legal interests of the parties. (Section 140 of Latvian Civil Procedure Law)

In cases regarding infringement and protection of the intellectual property rights if there are grounds to believe that the rights of a holder of intellectual property rights are being infringed or could be infringed, a court on the basis of a reasoned application of a plaintiff may take a decision on the specification of means of provisional remedy. The means of provisional protection shall be indicated in the application for the determination of means of provisional protection. (Section 250.10 of Latvian Civil Procedure Law)

In matters concerning recognition of decisions of a shareholder (stockholder) meeting of capital companies as invalid if there are grounds to believe that the rights of a plaintiff are breached or could be violated, a court or a judge, upon a reasoned request of the plaintiff, may take a decision to establish means of provisional protection. The means of provisional protection shall be indicated in the application for the determination of means of provisional protection. (Section 250.35 of Latvian Civil Procedure Law)

In cases regarding restriction of the capacity to act of a person and establishment of trusteeship due to mental disorders or other health disorders, upon a request of participants, the court may take a decision by which temporary trusteeship established for the relevant person for the time period until a judgment regarding restriction of the capacity to act is given in accordance with the provisions of Chapter 33.2 of this Law regarding establishment of temporary custody rights. (Section 267.1 of Latvian Civil Procedure Law)

According to Section 250.43 and Section 250.44 of Latvian Civil Procedure Law Provisional protection against violence is permissible in claims regarding annulment or divorce, or in claims arising due to personal injury, in claims regarding the recovery of maintenance, in claims regarding the division of joint dwelling of the parties where they live in one household, or determination of procedures for the use of the dwelling where the parties live in one household, and in cases arising from custody rights and access rights. An application for provisional protection against violence may be submitted by spouses or former spouses; persons between whom children and parent relations exist, guardianship or other out-of-family care relations exist or have existed; persons between whom kinship or affinity relations exist; persons who are living or have lived in one household; persons who have or are expecting a common child, regardless of whether such persons have ever been married or lived together; persons between whom close personal or intimate relations exist or have existed.

According to par 1 and 2 of Section 250.58 of Latvian Civil Procedure Law A court or judge shall decide on the application for provisional protection against violence not later than on the next working day after receipt of the application, if it is not necessary to request additional evidence or delay may cause significant breach of the rights of the plaintiff. The court or judge shall decide on the abovementioned application without prior notification to the participants in the case. If evidence is not sufficient or it must be requested from the State or local government institutions indicated in the application or from other natural persons or legal persons, the court or judge shall decide on the application for provisional protection against violence within 20 days after receipt of the application. In Cases Regarding Legal Protection Proceedings not later than the day following receipt of a legal protection proceedings application the judge shall take a decision: 1) to leave the legal protection proceedings application not proceeded with; 2) to refuse to accept the legal protection proceedings application; or 3) to accept the legal protection proceedings application and initiation of a case. If the application for legal protection proceedings has been left not proceeded with, then the judge shall take a decision to accept the application for legal protection proceedings and to initiate a case not later than the day after the elimination of deficiencies indicated in the judge's decision. (Section 341.4 of Latvian Civil Procedure Law) A court shall examine an application for legal protection proceedings within 15 days from: 1) the day when in accordance with Section 341.5, Paragraph three of this Law a decision was taken on appointing of the administrator; 2) the day of receipt of the opinion of the administrator. (Section 341.6 of Latvian Civil Procedure Law) The provisions of this Chapter shall be applied in cases regarding legal protection proceedings in the extrajudicial legal protection proceedings, unless otherwise provided for in this Section. A court shall examine an application for legal protection proceedings in the extrajudicial legal protection proceedings within 15 days in the written procedure, except in cases when it finds it necessary to examine the case in a court hearing. If the application in a case regarding legal protection proceedings is examined in a court hearing, the debtor and the administrator shall be summoned to the court hearing. Failure of such persons to attend shall not constitute a bar for the examination of the case. (Section 341.7 of Latvian Civil Procedure Law)

In Cases Regarding Insolvency Proceedings of a Legal Person not later than on the day after receipt of an application for insolvency proceedings the judge shall take a decision: 1) to leave the application for insolvency proceedings not proceeded with; 2) to refuse to accept the application for insolvency proceedings; 3) to accept the application for insolvency proceedings and initiation of the case. If the application for insolvency proceedings is left not proceeded with, the judge shall take a decision to accept the application for insolvency proceedings and to initiate the case not later than on the day after elimination of the deficiencies indicated in the decision (Section 363.9 of Latvian Civil Procedure Law)

A court shall examine an application for insolvency proceedings submitted by a creditor within 15 days from the day of initiation of the case. The applicant for insolvency proceedings and the debtor shall be summoned to the court hearing. If applications for insolvency proceedings of several creditors are merged in one legal proceeding, the applicants which may be notified at least seven days before the relevant hearing shall be summoned to the court hearing. Failure of such persons to attend shall not constitute a bar for the examination of the case. A court shall examine an application for insolvency proceedings submitted by the debtor in the written procedure within seven days from the day of initiation of the case. A court shall examine an application in the written procedure, except in the case when it considers as necessary to examine the case in a court hearing. If the application for insolvency proceedings is examined in a court hearing, the debtor and the administrator shall be summoned to the court hearing. Failure of such persons to attend shall not constitute a bar for the examination of the case. (Section 363.11 of Latvian Civil Procedure Law)

In Cases Regarding Insolvency Proceedings of a Natural Person not later than on the day after receipt of an application for insolvency proceedings the judge shall take a decision: 1) to leave the application for insolvency proceedings not proceeded with; 2) to refuse to accept the application for insolvency proceedings; 3) to accept the application for insolvency proceedings and initiation of the case. If the application for insolvency proceedings is left not proceeded with, the judge shall take a decision to accept the application for insolvency proceedings and to initiate the case not later than on the day after elimination of the deficiencies indicated in the decision (Section 363.25 of Latvian Civil Procedure Law). A court shall examine a case regarding insolvency proceedings of a natural person within seven days from the day of initiation thereof. A court shall examine an application in the written procedure, except in the case when it considers as necessary to examine the case in a court hearing. If the application for insolvency proceedings is examined in a court hearing, the debtor and the administrator shall be summoned to the court hearing. Failure of such persons to attend shall not constitute a bar for the examination of the case. (Section 363.27 of Latvian Civil Procedure Law).

Criminal cases - Chapter 36 of the Criminal Procedure Law regulates pre-trial criminal procedure peculiarities of application of the urgency procedure. Article 424 of the Criminal Procedure Law provides that upon initiation of procedures may apply the urgency procedure if: - An examination of a person who committed a criminal offense because it surprised a criminal offense at the time of or immediately after having done so; - The person has committed a criminal offense, serious or less serious crime; - Investigations of urgency in order that specified the extent possible to complete within five working days.

Administrative cases- Administrative Procedure Law and the Latvian Administrative Violations Code do not provide for a specific procedure for urgent cases. At the same time please be aware that the administrative courts practice appointment for faster examination such cases, which affects the interests of a child, immigration issues, etc. In addition, we declare that, if the matter in its merits also applies to institution of provisional regulations, then the Latvian Administrative Procedure Law provides for it. Chapter 22 of the Administrative Procedure Law regulates the nature and purpose of provisional regulation. At the same time be informed that, if the matter in its merits also applies to the specific categories of cases which are adjudicated outside the general procedure, then the fourth and sixth subparagraphs of Section 270 of the Latvian Administrative Violations Code provides for an exception from the general procedure. One exception from the general procedure is the administrative violation matters in the road traffic. Administrative violation matters in the road traffic, if administrative sanction to be applied regarding a violation committed is forfeiture of the right to drive a means of transport, shall be adjudicated not later than within three working days from the day of committing of the violation, except for cases, when the matters regarding the administrative violations provided for in Section 149.15 of this Code are adjudicated, which are related to the use of narcotic or other intoxicating substances and it is necessary to receive an opinion of an expert-examination. Such matters shall be adjudicated within 15 days after receipt of the materials. The second exception from the general order is matters regarding administrative violations in sea transport. If a violation has been committed by a foreign ship owner, bareboat charterer or operator or a foreign ship crew member, matters shall be adjudicated not later than within three working days from the day of committing of the violation, except for cases, when the matters regarding the administrative violations provided for in Section 116.1 of this Code are adjudicated, which are related to the use of narcotic or other intoxicating substances and it is necessary to receive an opinion of an expert-examination. Such matters shall be adjudicated within 15 days after receipt of the materials.

088. Are there simplified procedures for:

civil cases (small disputes)

criminal cases (misdemeanour cases)

administrative cases

There is no simplified procedure

Comments - If yes, please specify: There are special procedures available for small claims where the claim is for recovery of money or for recovery of maintenance and the total amount of the claim does not exceed EUR 2 100 and for cases regarding the rights in respect of

which a dispute is examined in the Board of Appeal for Industrial Property. In accordance with Section 250.25 of Civil Procedure law the case is examined in the written procedure, by notifying the parties in due time regarding the date when a true copy of the judgment may be received in the Court Registry, and also inform regarding the composition of the court examining the case, and explain the right to apply removal of a judge. The date when a true copy of the judgment is available in the Court Registry shall be regarded as the day of drawing up a judgment.

Regarding Payment order there are two possibilities: the undisputed enforcement of obligations (saistbu bezstrdus piespiedu izpildšana, Chapter 50, Sections 400–406 of the Law on Civil Procedure) and the enforcement of obligations on court notice (saistbu piespiedu izpildšana brdinjuma krtb, Chapter 50.1, Sections 406.1–406.10 of the Law on Civil Procedure).

A judge's decision on an application for undisputed enforcement of obligations or enforcement of obligations on court notice is not open to challenge.

Criminal cases - Chapter 35 of the Criminal Procedure Law describes the prosecutor's punishment. Chapter provides that if the person has committed a criminal offense or a less serious crime, and the prosecutor, taking into account the committed nature of the offense and the damage caused by persons characterizing data and other circumstances of the case, has gained confidence that this person should not be subject of a custodial sentence, but it can not be leave with impunity, he can complete the criminal proceedings by preparing penal order.

- Chapter 36 of the Criminal Procedure Law describes the pre-trial criminal peculiarities of abbreviated process, a person directing the proceedings may apply urgent procedures, if the person who committed a criminal offense is established, or if possible to complete the investigation within 10 days.

- Chapter 38 of the Criminal Procedure Law describes the application of pre-trial criminal agreement, while Chapter 49 of the Criminal Procedure Law describes the features of the proceedings relating to the pre-trial proceedings closed agreement. Chapter 38 of the Criminal Procedure Law provides that a public prosecutor may enter into an agreement, on the basis of his or her own initiative or the initiative of an accused or his or her defence counsel, regarding an admission of guilt and a punishment, if circumstances have been ascertained that apply to an object of evidence, and the accused agrees to the amount and qualification of his or her incriminating offence, an assessment of the harm caused by such offence, and the application of agreement proceedings. Prosecutor after the agreement is concluded, together with the criminal case materials to the protocol of agreement shall be sent to the Court, proposing to approve the agreement reached. Accordingly, Chapter 49 of the Criminal Procedure Law regulates the legal conditions applicable to the pre-trial proceedings concluded agreements.

- Chapter 50 of the Criminal Procedure Law Special Features of Court Proceedings in Entering Into an Agreement in Trial Proceedings, a public prosecutor and an accused have the right to mutually agree, up to the commencement of a court investigation, regarding the completion of criminal proceedings by entering into an agreement regarding the admission of guilt and a punishment. The entering into of an agreement in trial proceedings shall be allowed, if: the accused agrees to the size and legal qualification of the incriminating criminal offence; the accused admits his or her guilt completely in the committing of the criminal offence for which he or she has been incriminated..

Administrative cases - Latvia liability for violations in the field of road safety is designed for both the Criminal Law and the Latvian Administrative Violations Code. Administrative violation proceedings are simpler than the criminal proceedings, but according to the conclusions specified in the judgments of the European Court of Human Rights it is necessary to provide the guarantees laid down in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (right to a fair trial) in the administrative violation proceedings. Also in administrative violation matters it is possible to appeal the initial decision in several instances, namely, the decision can be appealed to a higher institution, after that to the district (city) court and regional court. In accordance with the third subparagraph of Section 270 of the Latvian Administrative Violations Code, administrative violation matters in the road traffic shall be adjudicated and a decision shall be taken immediately after the determination of a violation (shall be recorded in a protocol of administrative violation). The second subparagraph of Section 211.2 of the Latvian Administrative Violations Code provides that, in examining matters regarding violation of the binding regulations issued by a local government city council (parish council), a fine up to EUR 30 may be imposed at the place of committing of the violation without drawing up a report (issuing a standard type receipt), if the violator does not dispute the fine imposed thereon. In this case, the decision in an administrative violation matter shall not be reasoned and adopted in writing. Such a regulation is not included in the new draft law "Law on Administrative Violations Procedure".

088-1. (Modified question) For these simplified procedures, may judges deliver an oral judgement with a written order and dispense with a full reasoned judgement?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: Civil cases - if parties do not request trial of the claim in a court sitting or a court does not consider it as necessary to trial the matter in a court sitting, matters regarding claims for small amount shall be adjudicated by written procedure. Criminal cases - Article 531 of the Criminal Procedure Law provides that a court shall pronounce a judgment by the chairperson of a court session reading an abridged or full judgment. Thus, the abbreviated judgment pronouncement takes place verbally, however, according to the Article 530 of Criminal Procedure Law, second paragraph, the court judgment shall be prepared in a full 14 days. Administrative cases - Latvia liability for violations in the field of road safety is designed for both the Criminal Law and the Latvian Administrative Violations Code. Administrative violation proceedings are simpler than the criminal proceedings, but according to the conclusions specified in the judgments of the European Court of Human Rights it is necessary to provide the guarantees laid down in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (right to a fair trial) in the administrative violation proceedings. Also in administrative violation matters it is possible to appeal the initial decision in several instances, namely, the decision can be appealed to a higher institution, after that to the district (city) court and regional court. In accordance with the third subparagraph of Section 270 of the Latvian Administrative Violations Code, administrative violation matters in the road traffic shall be adjudicated and a decision shall be taken immediately after the determination of a violation (shall be recorded in a protocol of administrative violation). The second subparagraph of Section 211.2 of the Latvian Administrative Violations Code provides that, in examining matters regarding violation of the binding regulations issued by a local government city council (parish council), a fine up to EUR 30 may be imposed at the place of committing of the violation without drawing up a report (issuing a standard type receipt), if the violator does not dispute the fine imposed thereon. In this case, the decision in an administrative violation matter shall not be reasoned and adopted in writing. Such a regulation is not included in the new draft law "Law on Administrative Violations Procedure".

089. Do courts and lawyers have the possibility to conclude agreements on arrangements for processing cases (presentation of files, decisions on timeframes for lawyers to submit their conclusions and on dates of hearings)?

Yes

No

Comments - If yes, please specify: Partly yes, according to the Law on Judicial Power (Section 28.6, Paragraf 5.1) the dates and time of court sessions, as well as information regarding the availability of a sworn advocate and a prosecutor shall be noted in the calendar of court sessions created in the Court Information System. A note made in the calendar of court sessions regarding determination of the date and time of a court session shall be binding in planning adjudication of matters in a court session with the participation of such sworn advocate or a prosecutor whose participation in another court session has already been noted in the calendar of court sessions.

4.2.2. Case flow management – first instance

091. (Modified question) First instance courts: number of other than criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	32453 <input type="checkbox"/> NA <input type="checkbox"/> NAP	73284 <input type="checkbox"/> NA <input type="checkbox"/> NAP	73532 <input type="checkbox"/> NA <input type="checkbox"/> NAP	32205 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	28588 [] NA [] NAP	41381 [] NA [] NAP	41752 [] NA [] NAP	28217 [] NA [] NAP	[X] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	2647 [] NA [] NAP	29542 [] NA [] NAP	29536 [] NA [] NAP	2653 [] NA [] NAP	[X] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	2647 [] NA [] NAP	29542 [] NA [] NAP	29536 [] NA [] NAP	2653 [] NA [] NAP	[X] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	1218 [] NA [] NAP	2361 [] NA [] NAP	2244 [] NA [] NAP	1335 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments Decrease in pending non-litigious cases is due to many resolved cases in 2015.

092. If courts deal with “civil (and commercial) non-litigious cases”, please indicate the case categories included:

. 1) Applications for securing claim prior to initiation of the matter in a court and for securing of evidence; 2) Applications for securing claim prior to initiation of the matter in a court; 3) Applications for securing of evidence prior to initiation of the matter in a court; 4) Applications for execution of obligations through the court; 5) Undisputed compulsory execution of obligations; 6) Execution of obligations in accordance with warning procedures; 7) Voluntary sale of immovable property at auction through the court; 8) Submitting the subject-matter of an obligation for safekeeping in the court; 9) Applications for Commercial Court adjudication execution procedures; 10) Applications for arbitrary court decision compulsory execution; 11) Applications for property protection if

there is no inheritance case; 12) Applications concerning execution of court adjudications.

093. Please indicate the case categories included in the category "other cases":

. NAP

094. (Modified question) First instance courts: number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the first instance court
Total of criminal law cases (1+2)	6236 [] NA [] NAP	19000 [] NA [] NAP	18436 [] NA [] NAP	6800 [] NA [] NAP	[X] NA [] NAP
1. Severe criminal cases	4973 [] NA [] NAP	10745 [] NA [] NAP	10249 [] NA [] NAP	5469 [] NA [] NAP	[X] NA [] NAP
2. Misdemeanour and / or minor criminal cases	1263 [] NA [] NAP	8255 [] NA [] NAP	8187 [] NA [] NAP	1331 [] NA [] NAP	[X] NA [] NAP

Comments - If you cannot make a distinction between misdemeanour criminal cases and severe criminal cases (according to the CEPEJ definitions), please indicate the categories of cases reported in the category "serious offences" and cases reported in the category "minor offences": Severe criminal cases - All sections of The Criminal Law

Misdemeanour and / or minor criminal cases - All sections of Latvian Administrative Violations Code

4.2.3. Case flow management – second instance

097. (Modified question) Second instance courts (appeal): Number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court (Please insert NA for category 2)
Total of other than criminal law cases (1+2+3+4)	3101 [] NA [] NAP	6965 [] NA [] NAP	7209 [] NA [] NAP	2857 [] NA [] NAP	0 [] NA [] NAP

1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1652 [] NA [] NAP	5719 [] NA [] NAP	5507 [] NA [] NAP	1864 [] NA [] NAP	0 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	14 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP	16 [] NA [] NAP	0 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	14 [] NA [] NAP	6 [] NA [] NAP	4 [] NA [] NAP	16 [] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.2 Non-litigious business registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.2.3. Other registry cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2.3. Other non-litigious cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
3. Administrative law cases	1435 [] NA [] NAP	1240 [] NA [] NAP	1698 [] NA [] NAP	977 [] NA [] NAP	0 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments The increase in pending civil cases is due to fewer resolved cases in 2015. Decrease in pending Administrative cases is due to more resolved cases in 2015.

098. (Modified question) Second instance courts (appeal): number of criminal law cases.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the second instance court

Total of criminal law cases (1+2)	921 [] NA [] NAP	3361 [] NA [] NAP	3560 [] NA [] NAP	722 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	610 [] NA [] NAP	1977 [] NA [] NAP	1998 [] NA [] NAP	589 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	311 [] NA [] NAP	1384 [] NA [] NAP	1562 [] NA [] NAP	133 [] NA [] NAP	0 [] NA [] NAP

Comments

4.2.4. Case flow management – Supreme Court



099. (Modified question) Highest instance courts (Supreme Court): number of “other than criminal law” cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court (Please insert NA for category 2))
Total of other than criminal law cases (1+2+3+4)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1644 [] NA [] NAP	1568 [] NA [] NAP	2282 [] NA [] NAP	957 [] NA [] NAP	503 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	[X] NA [] NAP	[X] NA [] NAP	71 [] NA [] NAP	[X] NA [] NAP	0 [] NA [] NAP
2.1. General civil (and commercial) non-litigious cases, e.g. uncontested payment orders, request for a change of name, non-litigious enforcement cases etc. (if possible without administrative law cases, see category 3; without registry cases and other cases, see categories 2.2 and 2.3)	[X] NA [] NAP	[X] NA [] NAP	64 [] NA [] NAP	[X] NA [] NAP	0 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP
2.2.1. Non litigious land registry cases	[] NA [X] NAP	[] NA [X] NAP	[X] NA [] NAP	[] NA [X] NAP	[] NA [X] NAP

2.2.2 Non-litigious business registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.2.3. Other registry cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2.3. Other non-litigious cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	7 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Administrative law cases	671 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1116 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	1027 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	760 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	69 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Supreme court had accumulated too many unresolved cases and 1/3 of those are older than 2 years so they have made some changes and achieved progress.

099-1. At the level of the Highest court (Supreme Court), is there a procedure of manifest inadmissibility?

() Yes, please indicate the number of cases closed by this procedure:

(X) No

Comments

100. (Modified question) Highest instance courts (Supreme Court): number of criminal law cases.

	Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec. ref. year	Pending cases older than 2 years from the date the case came to the Supreme court
Total of criminal law cases (1+2)	133 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	754 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	730 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
1. Severe criminal cases	133 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	754 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	730 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

4.2.5. Case flow management – specific cases

101. (Modified question) Number of litigious divorce cases, employment dismissal cases, insolvency, robbery cases, intentional homicide cases, cases relating to asylum seekers and cases relating to the right of entry and stay for aliens received and processed by first instance courts.

Pending cases on 1 Jan. ref. year	Incoming cases	Resolved cases	Pending cases on 31 Dec ref. year
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Litigious divorce cases	1512 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1916 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1909 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1519 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Employment dismissal cases	397 <input type="checkbox"/> NA <input type="checkbox"/> NAP	462 <input type="checkbox"/> NA <input type="checkbox"/> NAP	538 <input type="checkbox"/> NA <input type="checkbox"/> NAP	321 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	6158 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2429 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2712 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5875 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	181 <input type="checkbox"/> NA <input type="checkbox"/> NAP	244 <input type="checkbox"/> NA <input type="checkbox"/> NAP	244 <input type="checkbox"/> NA <input type="checkbox"/> NAP	181 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	38 <input type="checkbox"/> NA <input type="checkbox"/> NAP	53 <input type="checkbox"/> NA <input type="checkbox"/> NAP	51 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Cases relating to asylum seekers (refugee status under the 1951 Geneva Convention)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Cases relating to the right of entry and stay for aliens	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments Correction in Employment dismissal cases (1 category was left out concerning employment cases)

101-1. (New question) Could you briefly describe the system in your country dealing with judicial remedies relating to asylum seekers (refugee status under the 1951 Geneva Convention) and the right of entry and stay for aliens:

. Judicial remedies relating to asylum seekers:

The rights, including rights to legal remedies, of an asylum seeker are laid down in Asylum Law (adopted on December 17, 2015; in force since January 19, 2016) which transposes relevant EU asylum acquis.

According to the Asylum Law, an asylum seeker can appeal administrative decisions taken by the Office of Citizenship and Migration Affairs in asylum cases to the Administrative District Court regarding asylum seeker's transfer to the responsible Member State, which will examine the application in accordance with Regulation No 604/2013; decision to leave the application without examination; decision to grant or refuse to grant refugee or subsidiary protection status and decision to discontinue examination of the application or refusal to reopen the examination of application, as well as the decision on the withdrawal of the refugee or subsidiary protection status. Furthermore, an asylum seeker has the right to appeal the decisions taken within the asylum procedure by the State Border Guard (detention, obligation to register in the SBG unit) to the District Court.

It is ensured that the documents submitted for the appeal procedure are translated from the State budget resources by the institution which examines the relevant application or claim. The information on the appeal procedure, as well as the decision of the District Administrative Court, which is final and can not be appealed, is provided in a language which an asylum seeker understands or is reasonably supposed to understand. Moreover, an asylum seeker is exempted from the State fee for the submission of an application to the court in the amount laid down in the laws and regulations. In case an asylum seeker does not have sufficient financial resources, he/she has the right to apply for the State ensured legal aid (free of charge) in the appeal procedure. The amount of the free of charge legal aid is determined in the relevant national legislation. If an asylum seeker appeals decisions taken by the State Border Guard, no financial means test is performed.

Judicial remedies relating to the right of entry and stay for aliens:

The rights of entry and stay for aliens are laid down in Immigration Law (adopted on October 31, 2002; in force since May 1, 2003). According to the Immigration law, a foreigner has the right to contest the decision to refuse, annul or revoke a visa by submitting a relevant application and other documents in Latvian, English or Russian to the institution which was responsible for taking the

decision, in a procedure as it is specified in the aforementioned law. A foreigner may appeal the decision on the contested administrative act to the Administrative District Court in accordance with the procedures laid down in law. The adjudication of the court is final and cannot be appealed.

If a foreigner has been refused entry in the Republic of Latvia, he/she has the right to dispute in the diplomatic and consular representation the decision on refusal to enter within 30 days after taking of the decision. The request is examined by the Chief of the State Border Guard or an official authorised by him or her. A decision on the contested administrative act may be appealed to the Administrative District Court in accordance with the procedures laid down in law. The adjudication of the court is final and cannot be appealed.

An inviter or a foreigner for whom in accordance with national legislation an invitation for requesting a residence permit is not necessary, has the right to dispute a decision to refuse to issue or register a residence permit or to annul it to the Head of the Office of Citizenship and Migration Affairs and also to appeal to a court a decision that was taken by the Head of the Office of Citizenship and Migration Affairs. Regarding the foreigners, in relation to whom a removal order has been issued, the Head of the institution which has issued the removal order (either Office of Citizenship and Migration Affairs or State Border Guard) has the right to revoke the removal order, if the foreigner has applied for the voluntary return programme and the relevant international organisation has informed the institution, which issued the removal order.

An official of the Office of Citizenship and Migration Affairs or of the State Border Guard shall acquaint a foreigner in a language, which he or she understands or which he or she should justifiably understand, if necessary, using the services of an interpreter, with the voluntary return decision or the removal order, legal obligation imposed on the addressee, with the decision to include in the list and the decision on the entry ban in the Schengen territory included therein, explaining where and in what period of time the administrative act may be contested or appealed. Furthermore, upon request of a foreigner the institution, which issued the relevant administrative act, shall ensure the translation of the main components of the voluntary return decision or removal order (the establishment of facts, justification of the administrative deed, legal obligation imposed on the addressee, an indication where and in what period of time the administrative deed may be contested or appealed). A foreigner has the right, within seven days after entering into effect of a voluntary return decision or a removal order and the decision included therein to include in the list and to prohibit entering the Schengen territory, to contest these to a higher national authority. A decision of a higher authority may be appealed to the Administrative District Court within seven days from the day when it entered into effect. A judgment of the Administrative District Court may be appealed by submitting a cassation complaint to the Department of Administrative Cases of the Supreme Court Senate. A foreigner has the right to State ensured legal aid in the appeal procedure to the Administrative District Court in return cases, if he does not have sufficient resources, he/she is residing in the Republic of Latvia and execution of the voluntary return decision or removal order issued in relation to him or her is suspended. In cases, a person is detained according to the procedures laid down in the Immigration Law, he/she also has the right to free legal aid (without financial means test being performed).

102. Average length of proceedings, in days (from the date the application for judicial review is lodged). The average length of proceedings has to be calculated from the date the application for judicial review is lodged to the date the judgment is made, without taking into account the enforcement procedure.

	% of decisions subject to appeal	Average length in 1st instance (in days)	Average length in 2nd instance (in days)	Average length in 3rd instance (in days)	Average total length of the total procedure (in days)	% of cases pending for more than 3 years for all instances
Litigious divorce case	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP	<input type="checkbox"/> X] NA <input type="checkbox"/>] NAP

Employment dismissal case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Insolvency	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

103. Where appropriate, please indicate the specific procedure as regards divorce cases (litigious and non-litigious):

. There is no specific procedure as regards divorce cases

104. How is the length of proceedings calculated for the five case categories of question 102? Please give a description of the calculation method.

. Number of days from commencement to final decision in current instance court

4.2.6. Case flow management – public prosecution



105. Role and powers of the public prosecutor in the criminal procedure (multiple options possible):

- to conduct or supervise police investigation
- to conduct investigations
- when necessary, to request investigation measures from the judge
- to charge
- to present the case in court
- to propose a sentence to the judge
- to appeal
- to supervise the enforcement procedure
- to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- other significant powers (please specify): The prosecutor is entitled to protect the rights and legitimate interests of persons and the

state, as well as in cases provided for by law, to submit an application to a court and to take part in court proceedings. In turn, the criteria by which the prosecutor is guided when deciding on the necessity of a review are laid down in Section 16 of the Law on the Prosecutor's Office.

Comments

106. (Modified question) Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: The prosecutor must take part in a civil case if he has filed or submitted an application or his participation is compulsory. Participation of a public prosecutor in a case is obligatory, if determined by the court the norms of the Civil Procedure Law, for example, in cases on approval and revocation of adoption, in cases concerning the determination of limits on the ability of a person and establishment of legal guardianship due to mental or other health disorders.

A prosecutor may file or submit an application in court if: 1) it is necessary by law for the protection of the rights and interests of the state or local government; 2) the rights or lawful interests of minors, trustees, persons with disabilities, prisoners or other persons who have limited possibilities to defend their rights; 3) in the course of a prosecutor's examination, a violation of the law has been established. The prosecutor's right in handling of an administrative offense is regulated by Section 242 of the Latvian Administrative Violations Code. A prosecutor, when investigating information on a violation of the law, is entitled to: initiate a record for an administrative violation; get acquainted with the case files; to take part in the hearing of a case; to file a protest on a case decisions; carry out other activities provided by the Law on the Prosecutor's Office.

107. Cases processed by the public prosecutor - Total number of first instance criminal cases:

	Received during the reference year	Discontinued during the reference year (see Q108 below)	Concluded by a penalty or a measure imposed or negotiated by the public prosecutor	Cases brought to court
Total number of first instance cases processed by the public prosecutor	14409 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1157 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1709 <input type="checkbox"/> NA <input type="checkbox"/> NAP	10022 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Cases brought to court

10022 cases with the total number of criminal offenses - 16892

107-1. (Modified question) If the guilty plea procedures exist, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	1377 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	699 <input type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	678 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments In 2016, the Prosecution Office sent a total of 699 cases to the court, in which there was concluded an agreement regarding admission of guilt and a punishment. Of all sent cases, in 21 occasions the court did not approve an agreement entered into during the pre-

trial criminal proceedings. Thus in total, in 2016, the court approved 678 agreements concluded by the prosecutor. However, we do not have at our disposal any data on agreements regarding admission of guilt and a punishment concluded during the stage of court investigations.

108. Total cases which were discontinued by the public prosecutor:

	Number of cases
Total cases which were discontinued by the public prosecutor (1+2+3)	1157 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	27 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	377 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	753 [] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

() Yes

(X) No

Comments In accordance with the Latvian legal system on traffic offenses, a person can also be punished administratively, for example, for driving a vehicle under the influence of alcohol, narcotic drugs or other intoxicating substances. Therefore, in this specific case, we would like to emphasize the fact that the indicated number of cases does not include any road traffic violations that are provided for by the Latvian Administrative Violations Code. At the moment, having evaluated the comment received from you, we consider that it is acceptable to rectify the previously given response in Q-109 by indicating "Yes", as it includes road traffic violations for the commission of which there is provided criminal liability

D2. Please indicate the sources for answering questions 91, 94, 97, 98, 99, 100, 101, 102, 107, 107-1 and 108.

Sources: Prosecution Office

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. (Modified question) How are judges recruited?

[] mainly through a competitive exam (open competition)

[] mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments

110-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for recruiting judges?

Yes

No

Comments - If yes, please specify:

111. Authority(ies) responsible for recruitment. Are judges initially/at the beginning of their career recruited and nominated by:

an authority made up of judges only

an authority made up of non-judges only

an authority made up of judges and non-judges

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of judges. If there are several authorities, please describe their respective roles:

112. Is the same authority (Q111) competent for the promotion of judges?

Yes

No

Comments

112-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting judges?

Yes

No

Comments - If yes, please specify:

113. What is the procedure for judges to be promoted? (multiple answers possible)

Competitive test / Exam

Other procedure (interview or other)

No special procedure

Comments - Please specify how the promotion of judges is organised (especially if there is no competition or examination): Accordong to the Law on Judicial Power, according to a proposal by the Judicial Council on the basis of a favourable opinion from the Judicial Qualification Board, it shall be decided on the transfer of a judge to a court or courthouse of a higher level.

113-1. Please indicate the criteria used for the promotion of a judge? (multiple answers possible)

Years of experience

Professional skills (and/or qualitative performance)

Performance (quantitative)

Assessment results

Subjective criteria (e.g. integrity, reputation)

Other

No criteria

Comments - Please specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): After nomination of the candidate for the promotion, the Judicial Qualification Board makes the assessment of the candidate by generally using the method of evaluation of performance (the number of decisions taken, the number of confirmed, quashed or amended decisions, existence of complaints) and other data (continuous training, scientific work, pedagogical work etc.). One of the criteria used for promoting judges is references about his or her work. References is submitted from the district (city) courts and from the higher instance court. References are submitted to the Judicial Qualification Board and they evaluate them. If several candidates are claiming on one post, who have received positive conclusion of the Judicial Qualification Board, the Minister of Justice directs all of the candidates and the Judicial Council shall decide on the most suitable candidate. Decision of the Judicial Council has not to be appealed.

114. (Modified question) Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments

114. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of prosecution services?

statutory independent

under the authority of the Minister of justice or another central authority

other (please specify):

Comments - When appropriate, please specify the objective guarantees of this independence (transfer, appointment...). Section 1 of the Prosecutor's Law stipulates that the Office of the Prosecutor is an institution of judicial power, which independently carries out supervision of the observance of law within the scope of the competence determined by this Law. On the one hand, the Public Prosecutor's Office is a unified, centralized, three-tiered system headed by the Prosecutor-General, but on the other hand - the functions of prosecutor's office is carried out independently and solely by prosecutors.

Although prosecutors have mandatory instructions and orders issued by the Prosecutor General, a higher prosecutor is not entitled to instruct orders to or order to take actions contrary to lower tier prosecutors conviction, since, in accordance with Section 6, Paragraph one of the Prosecutor's Office, the prosecutor is independent in his activities and obeys only the law.

Prosecutors are appointed by the Prosecutor General without a time limit, and prior to appointment or promotion, the Prosecutors' Attestation Commission gives an opinion on the suitability of a prosecutor. The position for Prosecutor General is proposed by Supreme Court, coordinated with the Council of Justice, and is appointed by the Saeima for a five-year term. The same person may be a General Prosecutor for a maximum of two consecutive terms.

115-1. Does the law or another regulation prevent specific instructions to prosecute or not, addressed to a prosecutor in a court.

Yes

No

Comments - If yes, please specify: for the year 2016, an inadequate box was checked, since each prosecutor, when considering individual cases, makes his decisions independently and on his own, based on his beliefs and laws, observing the equality of persons before the law and the court, the presumption of innocence, truth and lawfulness (Section 5 of the Law on the Prosecutor's Office first part). A higher-ranking public prosecutor is entitled to take any case in his business, but he is not entitled to instruct the prosecutor to act against his convictions (Section 6, Paragraph four of the Law on Public Prosecutor's Office). The prosecutor acts independently of the influence of other state power and institutions implementing government or officials and obeys only the law (Section 6, Paragraph one of the Prosecutor's Office).

116. How are public prosecutors recruited?

mainly through a competitive exam (open competition)

mainly through a recruitment procedure for experienced legal professionals (for example experienced lawyers)

a combination of both (competitive exam and working experience)

other (please specify):

Comments The Prosecutor General may exempt a person from prosecutor qualification examination if the person has successfully passed a lawyer's or judges qualification exam and who has previously worked as a prosecutor or who meets the qualification that of judge or the academic staff of the law school of a sworn advocate in accordance with Articles 34 and 38 of the Office of the Prosecutor Law. Similarly, according to Section 33 the Office of the Prosecutor Law, the Prosecutor General may also exempt a person from conducting a qualification examination.

117. Authority(ies) responsible for recruitment. Are public prosecutors initially/at the beginning of their career recruited by:

an authority composed of public prosecutors only

an authority composed of non-public prosecutors only

an authority composed of public prosecutors and non-public prosecutors

Comments - Please indicate the name of the authority(ies) involved in the whole procedure of recruitment and nomination of public prosecutors. If there are several authorities, please describe their respective roles: Article 29.1 of the Office of the Prosecutor Law stipulates that the Council of the Prosecutor General shall establish a prosecutor's attestation commission for one year, determining the number and composition of its members. The Prosecutors' Qualification Commission is also established for one year in accordance with Section 29.2 of the Office of the Prosecutor Law.

The Prosecutors' Qualification Commission carries out an examination of the candidate's general and legal knowledge, as well as recommends for the evaluation at the Prosecutor's Certification Commission those candidates who have successfully passed the general and legal examination test or have been exempted from it.

Prosecutor's Attestation Commission gives the Prosecutor General an opinion on the compliance of the applicant for the office of prosecutor with the status of candidate for public prosecutor. With the prosecutor who has passed the selection, the Prosecutor General makes an apprenticeship contract.

After the prosecutor has successfully completed the internship program, and if he is not released from the qualification examination, he will pass a qualification examination. Thus, the Qualification Commission of the Prosecutors gives the Prosecutor's Certification Commission an opinion on the compliance of the program of traineeship and the suitability of the prosecutor's knowledge and professional skills to the position of prosecutor.

I Prosecutor's Attestation Commission assesses the candidate's level of professional skills and personality characteristics and gives the Attorney General an opinion on the candidate's suitability to the position of prosecutor, but the decisions are only of a recommendatory nature, because the prosecutor is appointed in accordance with Section 23, of the Office of the Prosecutor Law.

117-1. Are there specific provisions for facilitating gender equality within the framework of the

procedure for recruiting prosecutors?

() Yes

(X) No

Comments - If yes, please specify:

118. Is the same authority (Q.117) formally responsible for the promotion of public prosecutors?

(X) Yes

() No, please specify which authority is competent for promoting public prosecutors

Comments

119. What is the procedure for prosecutors to be promoted? (multiple answers possible)

[] Competitive test / exam

[X] Other procedure (interview or other)

[] No special procedure

Comments - Please, specify the procedure (especially if it is a procedure different from a competitive test or an exam): Before the prosecutor is promoted, the Prosecutor's Attestation Commission gives an opinion on the prosecutor's compliance with the prosecutor's position and makes a proposal to the Prosecutor General to promote a particular prosecutor. The Prosecutor's Attestation Commission assesses the quality and effectiveness of the prosecutor's professional duties, work experience, organization of individual work, participation in qualification raising activities, statistical indicators of work and other criteria.

119-1. Are there specific provisions for facilitating gender equality within the framework of the procedure for promoting prosecutors?

() Yes

(X) No

Comments - If yes, please specify:

119-2. Please indicate the criteria used for the promotion of a prosecutor:

[X] Years of experience

[X] Professional skills (and/or qualitative performance)

[X] Performance (quantitative)

[X] Assessment results

[X] Subjective criteria (e.g. integrity, reputation)

[] Other

[] No criteria

Comments - Please, specify any useful comment regarding the criteria (especially if you have checked the box "performance" or "other"): The Prosecutor's Attestation Commission assesses the quality and effectiveness of the prosecutor's professional duties, work experience, organization of individual work, participation in qualification raising activities, statistical indicators of work and other criteria (including moral status).

120. Is there a system of qualitative individual assessment of the public prosecutors' work?

(X) Yes

() No

5.1.3.Mandate and retirement of judges and prosecutors

121. Are judges appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:70

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: According to the Law on Judicial Power, Section 60, judges of a district (city) court shall be appointed to office by the Parliament, upon the recommendation of the Minister for Justice, for three years. After a judge of a district (city) court has held office for three years, the Parliament, upon the recommendation of the Minister for Justice, and on the basis of an opinion of the Judicial Qualifications Board, shall confirm him or her in office, for an unlimited term of office, or shall re-appoint him or her to office for a period of up to two years. After the expiration of the repeated term of office, the Parliament, on the recommendation of the Minister for Justice, shall confirm in office a judge of a district (city) court for an unlimited term of office. If the work of a Judge is unsatisfactory, the Minister for Justice, in accordance with an opinion of the Judicial Qualification Board, shall not nominate a judge as a candidate for a repeated appointment to or confirmation in office. According to the Law on Judicial Power, Section 61, judge of regional court shall be confirmed by the Parliament, upon a recommendation of the Minister for Justice, for an unlimited term of office.

121-1. Can a judge be transferred (to another court) without his/her consent:

For disciplinary reasons

For organisational reasons

For other reasons (please specify modalities and safeguards):

No

Comments If the district (city) court in accordance with the Law on Judicial Power has been reorganized, the Judicial Council after the proposal from the Minister of Justice decides on a proposal to transfer district (city) court judge (without his or her consent) to another district (city) court in the same regional courts operational territory. Judicial Council determines the order in which concrete proposal is prepared and within the meeting of the Judicial Council the proposal is dealt.

122. Is there a probation period for judges (e.g. before being appointed "for life")? If yes, how long is this period?

Yes, duration of the probation period (in years):0.5

No

NAP

Comments

123. Are public prosecutors appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

Yes, please indicate the compulsory retirement age:65

No

Comments - If yes, are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify: The Office of the Prosecutor Law stipulates in which cases the prosecutor is dismissed from office, for example, at his own decision, in connection with his election or appointment, due to the achievement of the maximum age of performance of duties (65 years), etc. In accordance with Article 38.2 of Office of the Prosecutor Law, the employment of the Prosecutor may be extended for a further period of up to two years.

The prosecutor will be dismissed if he refuses to terminate his membership of parties or political organizations or the prosecutor has

repeatedly received a negative evaluation, and in other cases.

Prosecutor may be dismissed, for example, in case of deliberate failure to perform his duties or gross violation of the standards of the Code of Ethics for Prosecutors.

124. Is there a probation period for public prosecutors? If yes, how long is this period?

Yes, duration of the probation period (in years):0.5

No

Comments

125. If the mandate for judges is not for an undetermined period (see question 121), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?3

No

Comments

126. If the mandate for public prosecutors is not for an undetermined period (see question 123), what is the length of the mandate (in years)? Is it renewable?

Yes, what is the length of the mandate (in years)?undetermined

No, what is the length of the mandate (in years)?

Comments

5.2.Training

5.2.1.Training of judges

127. Types of different trainings offered to judges

	Compulsory	Optional	No training proposed
Initial training (e.g. attend a judicial school, traineeship in the court)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

128. Frequency of the in-service training of judges:

Frequency of the judges training

General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions of the court (e.g. court president)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the continuous training of judges:

5.2.2. Training of prosecutors

129. Types of different trainings offered to public prosecutors

	Compulsory	Optional	No training proposed
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
General in-service training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for specialised functions (e.g. public prosecutors specialised on organised crime)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for management functions in the courts (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
In-service training for the use of computer facilities in office	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

130. Frequency of the in-service training of public prosecutors :

	Frequency of the in-service training
General in-service training	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

In-service training for specialised functions (e.g. public prosecutor specialised on organised crime)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for management functions in office (e.g. Head of prosecution office, manager)	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in office	<input type="checkbox"/> Regularly (for example every year) <input checked="" type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed

Comments - Please indicate any information on the periodicity of the in-service training of prosecutors: Since January 1, 2013, the Office of the Prosecutor Law stipulates that the prosecutor is obliged to regularly update his knowledge and improve the professional skills and skills necessary for the performance of his duties.

In addition, initial training for new prosecutors is regularly organized at the prosecutor's office.

131. Do you have public training institutions for judges and / or prosecutors?

	Initial training only	Continuous training only	Initial and continuous training
One institution for judges	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
One institution for prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
One single institution for both judges and prosecutors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

131-0. (Modified question) If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	260854 <input type="checkbox"/> NA <input type="checkbox"/> NAP
One institution for prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
One single institution for both judges and prosecutors	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The budget provided is allocated only for training of judges, not for the whole institution.

131-1. If judges and/or prosecutors have no compulsory initial training in such institutions, please indicate briefly how these judges and/or prosecutors are trained?

. According to the Prosecutors General decision made in 2nd September 2001, the prosecutor candidates are subjected to a general knowledge examination in a test form and verification of legal knowledges, answering in a written form to the asked questions. Prosecutors Qualification Commission evaluates the results of the test, and those candidates who have obtained the required number

of points, recommends to the Prosecutors Certification Commission. The Prosecutor Certification Commission provides an opinion to the Prosecutor General about the prosecutor candidate's compliance with prosecutor candidate status, who have passed the examination. For raising qualification of prosecutors in 2014 in cooperation with foreign partners, the Latvian Judicial Training Centre, Latvian University, Latvian Centre for Human Rights, etc. there have been organized more than 142 seminars, training courses, lectures and scientific and practical conferences, including issues about the fight against corruption and human trafficking, child protection and juvenile justice issues, human rights in criminal proceedings, a current events in determining penalty, etc. Prosecutors have been appointed to the trainings by the Prosecutor General's order.

5.3.Practice of the profession

5.3.1.Salaries and benefits of judges and prosecutors

132. Salaries of judges and public prosecutors on 31 December of the reference year:

	Gross annual salary, in €	Net annual salary, in €	Gross annual salary, in local currency	Net annual salary, in local currency
First instance professional judge at the beginning of his/her career	19764 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19764 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13827 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Judge of the Supreme Court or the Highest Appellate Court (please indicate the average salary of a judge at this level, and not the salary of the Court President)	37888 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26173 <input type="checkbox"/> NA <input type="checkbox"/> NAP	37888 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26173 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	19368 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13348 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19368 <input type="checkbox"/> NA <input type="checkbox"/> NAP	13348 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor of the Supreme Court or the Highest Appellate Instance (please indicate the average salary of a public prosecutor at this level, and not the salary of the Attorney General).	24112 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16617 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24112 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16617 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Prosecutors, depending on the grade assigned, are provided with an allowance for a post of prosecutor from 7 to 35 percent of the monthly salary. The position of a prosecutor is assigned according to the occupation, professional knowledge, qualification and work experience.

In above stated amount special additional payment to judges depending of their time of service (starting from 7% after 3 years of service, until 35% - after 20 years of service) is already included.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	() Yes (X) No	() Yes (X) No

Special pension	(X) Yes () No	(X) Yes () No
Housing	() Yes (X) No	() Yes (X) No
Other financial benefit	(X) Yes () No	(X) Yes () No

Comments

134. If “other financial benefit”, please specify:

. According to the Law On Judicial Power judges have following additional benefits: allowance in case a judge has been injured in a serious accident, allowance in case of death of judge's family member or a dependent person, allowance in case a judge is removed from office due to a reduction in the number of judges, life and health insurance. Additional payment (if a judge has received a favourable opinion regarding his or her professional work): * after 3 years of working - 7 % of the monthly salary * after 6 years of working - 14 % of the monthly salary * after 10 years of working - 21 % of the monthly salary * after 15 years of working - 28 % of the monthly salary * after 20 years of working - 35 % of the monthly salary

[] NAP

135. Can judges combine their work with any of the following other functions/activities?

	With remuneration	Without remuneration
Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	() Yes (X) No	(X) Yes () No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Other function	() Yes (X) No	() Yes (X) No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify.

137. Can public prosecutors combine their work with any of the following other functions/activities?

With remuneration	Without remuneration
--------------------------	-----------------------------

Teaching	(X) Yes () No	(X) Yes () No
Research and publication	(X) Yes () No	(X) Yes () No
Arbitrator	() Yes (X) No	() Yes (X) No
Consultant	(X) Yes () No	(X) Yes () No
Cultural function	(X) Yes () No	(X) Yes () No
Political function	() Yes (X) No	() Yes (X) No
Other function	(X) Yes () No	(X) Yes () No

Comments - If rules exist in your country (e.g. authorisation needed to perform these activities), please specify. If “other function”, please specify. In order for a prosecutor to combine work in prosecutor's office with the work of an expert (consultant), whose place of execution is another state administration, international organization or its agency (mission), if this does not create a conflict of interest, or to combine a prosecutor with a post in a trade union or association of the profession or industry, if this does not create a conflict of interest, the permit of the Attorney General must be obtained.

For person to combine the position of a prosecutor with a teacher, a scientist, a professional athlete and a creative work, does not need to request a permit from the Prosecutor General.

139. Productivity bonuses: do judges receive bonuses based on the fulfilment of quantitative objectives in relation to the delivery of judgments (e.g. number of judgments delivered over a given period of time) or cases examination?

() Yes

(X) No

Comments - If yes, please specify the conditions and possibly the amounts:

5.4. Disciplinary procedures

5.4.1. Authorities responsible for disciplinary procedures and sanctions

140. Who is authorised to initiate disciplinary proceedings against judges (multiple options possible)?

[] Court users

[X] Relevant Court or hierarchical superior

[X] High Court / Supreme Court

[] High Judicial Council

[] Disciplinary court or body

[] Ombudsman

[] Parliament

[X] Executive power (please specify): Initiate disciplinary proceedings is entitled to: 1) The Chief Justice of Supreme Court; 2) The Minister of Justice; 3) Presidents of Regional Courts; 4) Presidents of the district (city) courts; 5) Presidents the Land Registry office; 6)

Other (please specify): Other - Judicial Ethics Commission

This is not possible

Comments

141. Who is authorised to initiate disciplinary proceedings against public prosecutors: (multiple options possible):

Citizens

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

Other (please specify):

This is not possible

Comments

142. Which authority has disciplinary power over judges? (multiple options possible)

Court

Higher Court / Supreme Court

Judicial Council

Disciplinary court or body

Ombudsman

Parliament

Executive power (please specify):

Other (please specify):

Comments

143. Which authority has disciplinary power over public prosecutors? (multiple options possible):

Supreme Court

Head of the organisational unit or hierarchical superior public prosecutor

Prosecutor General /State public prosecutor

Public prosecutorial Council (and Judicial Council)

Disciplinary court or body

Ombudsman

Professional body

Executive power (please specify):

[] Other (please specify):

Comments

5.4.2. Number of disciplinary procedures and sanctions

144. Number of disciplinary proceedings initiated during the reference year against judges and public prosecutors. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Judges	Prosecutors
Total number (1+2+3+4)	11 [] NA [] NAP	11 [] NA [] NAP
1. Breach of professional ethics	5 [] NA [] NAP	[] NA [X] NAP
2. Professional inadequacy	[] NA [X] NAP	[] NA [X] NAP
3. Criminal offence	[] NA [X] NAP	[] NA [X] NAP
4. Other	6 [] NA [] NAP	11 [] NA [] NAP

Comments - If "other", please specify: not intentionally breach of law, but negligence (breach of procedural terms, accidentally has not observed criminal procedure norms or substantive legal norms).

145. Number of sanctions pronounced during the reference year against judges and public prosecutors:

	Judges	Prosecutors
Total number (total 1 to 9)	5 [] NA [] NAP	11 [] NA [] NAP
1. Reprimand	2 [] NA [] NAP	7 [] NA [] NAP
2. Suspension	[] NA [X] NAP	[] NA [X] NAP
3. Withdrawal from cases	[] NA [X] NAP	[] NA [X] NAP
4. Fine	[] NA [X] NAP	[] NA [X] NAP
5. Temporary reduction of salary	1 [] NA [] NAP	[X] NA [] NAP

6. Position downgrade	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If “other”, please specify. If a significant difference exists between the number of disciplinary proceedings and the number of sanctions, please indicate the reasons. The disciplinary sanctions applicable to the prosecutor by Section 44 of the Office of the Prosecutor Law: 1) an annotation; 2) a reprimand; 3) reduction of the base salary of the prosecutor up to 20 per cent for a period not exceeding six months; 4) reduction in the grade of office; 5) demotion in office; 6) dismissal from employment.

We note that in the box Other is a disciplinary penalty – an annotation.

2 judges received a remark

E3. Please indicate the sources for answering questions 144 and 145:

Sources: <http://at.gov.lv/lv/par-augstako-tiesu/disciplinartiesa/disciplinartiesas-lemumi/> - on homepage of the Supreme Court there is subsection for the Disciplinary Court (which is formed from 6 elected judges of the Supreme Court) and Secretariat for Disciplinary Board for the cases examined at Disciplinary Board

6.Lawyers

6.1.Profession of lawyer

6.1.1.Status of the profession of lawyers

146. Total number of lawyers practising in your country:

[1231]

NA

NAP

Comments

147. Does this figure include “legal advisors” who cannot represent their clients in court (for example, some solicitors or in-house counsellors)?

Yes ()

No (X)

Comments

148. Number of legal advisors who cannot represent their clients in court:

[]

[X] NA

[] NAP

Comments There was a mistake in last cycle. Not all legal advisors can represent their clients in court, for instance, in criminal cases only sworn advocate can represent their clients in court.

149. (Modified question) Do lawyers have a monopoly on legal representation in (multiple options are possible):

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Dismissal cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Criminal cases - Defendant	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Criminal cases - Victim	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Administrative cases	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
There is no monopoly	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP

Comments - Please, indicate any useful clarifications regarding the content of lawyers' monopoly: If there is no monopoly, please specify the organisations or persons that may represent a client before a court (for example a NGO, a family member, a trade union, etc) and for which types of cases: Participants in administrative proceedings may participate in the proceedings with the assistance of or through their representative. The representative may be any natural or legal person with capacity to act, subject to the restrictions set out in Sections 36 and 37 of Administrative Procedure Law. In the civil procedure also any natural person may be an authorised representative, taking into account the restrictions specified in Section 84 of Civil Procedure Law. In cassation courts leads individuals represent themselves or through a lawyer. In criminal procedure a defence counsel shall be an advocate practising in Latvia who implement the defence in criminal proceedings, or a specific stage or separate procedural action thereof of a person who has the right to defence. In order to completely ensure the rights and interests of a minor person who has the right to defence, the representative thereof may participate in criminal proceedings.

149-0. (New question) If there is no monopoly, please specify the organisations or persons that may represent a client before a court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

Family member	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Self-representation	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Trade union	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP	(X) Yes () No <input type="checkbox"/> NAP
Other	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP	() Yes () No <input checked="" type="checkbox"/> NAP

Comments - If "other", please specify. In addition, please specify for the categories mentioned, the types of cases concerned by this/these representation(s):

149-1. In addition to the functions of legal representation and legal advice, can a lawyer exercise other activities?

- Notarial activity
- Arbitration / mediation
- Proxy / representation
- Property manager
- Real estate agent
- Other law activities (please specify): Administrator of insolvency proceedings

Comments

149-2. What are the statuses for exercising the legal profession in court?

- Self-employed lawyer
- Staff lawyer
- In-house lawyer

Comments

150. Is the lawyer profession organised through:

- a national bar association
- a regional bar association
- a local bar association

Comments

151. Is there a specific initial training and/or exam to enter the profession of lawyer?

- Yes
- No

Comments - If not, please indicate if there are other specific requirements as regards diplomas or university degrees:

152. Is there a mandatory general system for lawyers requiring in-service professional training?

Yes

No

Comments

153. Is the specialisation in some legal fields linked to specific training, levels of qualification, specific diploma or specific authorisations?

Yes

No

Comments - If yes, please specify:

F1. Please indicate the sources for answering questions 146 and 148:

Sources: Ministry of Justice, Court Administration

6.1.2. Practicing the profession

154. Can court users establish easily what the lawyers' fees will be (i.e. a prior information on the foreseeable amount of fees)?

Yes

No

Comments

155. Are lawyers' fees freely negotiated?

Yes

No

Comments

156. Do laws or bar association standards provide any rules on lawyers' fees (including those freely negotiated)?

Yes laws provide rules

Yes standards of the bar association provide rules

No neither laws nor bar association standards provide rules

Comments

6.1.3. Quality standards and disciplinary procedures

157. Have quality standards been determined for lawyers?

Yes

No

Comments - If yes, what are the quality criteria used? Persons may be admitted as sworn advocates if they:

- 1) are citizens of the Republic of Latvia;
 - 2) have a faultless reputation;
 - 3) have reached the age of twenty-five;
 - 4) have received a state-recognised diploma of second-level higher education in law and have obtained the qualifications of a lawyer;
 - 5) are fluent in the official language at the highest level;
 - 6) have obtained work experience by working in any of the following positions:
 - a) at least three years – in the position of judge,
 - b) at least five years – in the position of prosecutor, sworn bailiff or sworn notary, or assistant to a sworn advocate,
 - c) at least seven years – in the position of academic personnel specialising in law at an institution of higher education or in any other position with a juridical speciality;
 - 7) have passed the advocate examination.
- Doctors of Law shall be exempted from the advocate examination.

158. If yes, who is responsible for formulating these quality standards:

the bar association

the Parliament

other (please specify): They are approved by the Parliament (Saeima), but the initiative comes from the Ministry of Justice collaboration with the bar association.

Comments

159. Is it possible to file a complaint about:

the performance of lawyers

the amount of fees

Comments - Please specify: In September 2007 The Latvian Council of Sworn Advocates established the Commission of ethics for lawyers. An administrative, supervisory and executive institution of the Latvian Collegium of Sworn Advocates is the Latvian Council of Sworn Advocates.

160. Which authority is responsible for disciplinary procedures?

the judge

the Ministry of Justice

a professional authority

other (please specify):

Comments

161. Disciplinary proceedings initiated against lawyers. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings
Total number of disciplinary proceedings initiated (1 + 2 + 3 + 4)	14 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Professional inadequacy	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Criminal offence	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: In two cases the disciplinary proceedings were initiated primarily due to the breach of law (i.e. Advocacy Law and Criminal Procedure Law).

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Fine	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Other	2 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons. -Other: In two cases the maximum sanction was pronounced against lawyers, i.e. exclusion from the Latvian Collegium of Sworn Advocates.

-Sanctions were pronounced in 12 cases out of 14 due to the fact that two disciplinary proceedings (initiated by the Latvian Council of Sworn Advocates for presumed breach of professional ethics) were terminated by the Disciplinary Proceedings Commission and no sanctions were pronounced against the respective lawyers.

7. Alternative dispute resolutions

7.1. Mediation

7.1.1. Details on mediation procedures and other ADR

163. Does the judicial system provide for judicial mediation procedures? If this is not the case you will go directly to question 168.

Yes

No

Comments

163-1. In some fields, does the judicial system provide for mandatory mediation procedures?

Before going to court

Ordered by a judge in the course of a judicial proceeding

Comments - If there are mandatory mediation procedures, please specify which fields are concerned:

164. Please specify, by type of cases, the organisation of judicial mediation:

	Court annexed mediation	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Family law cases (ex. divorce)	(X) Yes () No	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No
Administrative cases	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Employment dismissals	(X) Yes () No	(X) Yes () No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Criminal cases	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments

165. Is there a possibility to receive legal aid for judicial mediation procedures?

() Yes

(X) No

Comments - If yes, please specify:

166. Number of accredited or registered mediators who practice judicial mediation:

[43]

[] NA

[] NAP

Comments

167. Number of judicial mediation procedures.

	Number of judicial mediation procedures
Total number of mediation cases (total 1 + 2 + 3 + 4 + 5)	[X] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP
2. Family cases	[X] NA [] NAP

3. Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Employment dismissal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - Please indicate the source:

168. Does the legal system provide for the following alternative dispute resolutions (ADR):

mediation other than judicial mediation

arbitration

conciliation

other ADR (please specify): In Criminal Procedure Law is a settlement institute, and in Administrative Procedure Law is a administrative contract institute.

Comments

G1. Please indicate the source for answering question 166:

Source: The Council of Certified Mediators. The list of all certified mediators is available on website of The Council of Certified Mediators -www.sertificetimediatori.lv.

8.Enforcement of court decisions

8.1.Execution of decisions in civil matters

8.1.1.Functioning

169. Do you have enforcement agents in your judicial system?

Yes

No

Comments

170. Number of enforcement agents

[116]

NA

NAP

Comments

171. Are enforcement agents (multiple options are possible):

judges

bailiffs practising as private professionals under the authority (control) of public authorities

bailiffs working in a public institution

other

Comments - Please specify their status and powers: Sworn bailiffs perform the execution of adjudications of the court and other institutions, as well as other activities prescribed by Latvian legislation. They are independent in performing their official activities and subject only to law. Sworn bailiffs are persons belonging to the court system assigned to regional courts and perform the duties prescribed by laws. In respect of the official activities sworn bailiffs shall be comparable to State officials. Sworn bailiffs are appointed to the office for life and they may hold this office up to the age of sixty-five years. The Minister for Justice may extend this time period to seventy years of age upon a recommendation of the Council of Latvian Sworn Bailiffs.

171-1. Do enforcement agents have the monopoly in exercising their profession?

Yes

No

Comments - Please indicate any useful clarifications regarding the content of the enforcement agents' monopoly or on the opposite regarding the competition they have to deal with: According Latvian legislation only sworn bailiffs have authority to perform the execution of adjudications of the court and other institutions in civil matters (authority to apply the compulsory enforcement measures).

171-2. Can the enforcement agent carry out the following civil enforcement proceedings:

	Option
Seizure of movable tangible properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of immovable properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure from a third party of the debtor claims regarding a sum of money	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of remunerations	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Seizure of motorised vehicles	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Eviction measures	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Enforced sale by public tender of seized properties	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP
Other	<input checked="" type="checkbox"/> Yes with monopole <input type="checkbox"/> Yes without monopole <input type="checkbox"/> No <input type="checkbox"/> NAP

Comments

171-3. Apart of the enforcement of court decisions, what are the other activities that can be carried out by enforcement agents?

- Service of judicial and extrajudicial documents
- Debt recovery
- Voluntary sale of moveable or immoveable property at public auction
- Seizure of goods
- Recording and reporting of evidence
- Court hearings service
- Provision of legal advice
- Bankruptcy procedures
- Performing tasks assigned by judges
- Representing parties in courts
- Drawing up private deeds and documents
- Building manager
- Other

Comments

172. Is there a specific initial training or exam to become an enforcement agent?

- Yes
- No

Comments

172-1. Is there a system of mandatory general continuous training for enforcement agents?

- Yes
- No

Comments

173. Is the profession of enforcement agents organised by (the answer NAP means that the profession is not organised):

- a national body
- a regional body

a local body

NAP

Comments

174. Are enforcement fees easily established and transparent for the court users?

Yes

No

Comments

175. Are enforcement fees freely negotiated?

Yes

No

Comments

176. Do laws provide any rules on enforcement fees (including those freely negotiated)?

Yes

No

Comments

H0. Please indicate the sources for answering question 170

Source: The number of sworn court bailiffs is specified un the cabinet Regulation No.66 of 19 January 2010 "Regulations on Number of Sworn Bailiffs and Locations of Offices Thereof, Districts and Borders Thereof".

8.1.2.Efficiency of enforcement services

177. Is there a body entrusted with supervising and monitoring the enforcement agents' activity?

Yes

No

Comments

178. Which authority is responsible for supervising and monitoring enforcement agents?

a professional body

the judge

the Ministry of Justice

the public prosecutor

other (please specify):The Commission of Disciplinary Matters. Includes 2 representatives of the Ministry of Justice, 2 representatives elected by the general meeting of the sworn bailiffs, 1 judge of the Supreme Court assigned by the Chief Justice of the Supreme Court. According to Law on Bailiffs the materials of the disciplinary matter initiated by the Minister of Justice or the Council of Latvian Sworn bailiffs examine the Commission of Disciplinary Matters. It`s independent authority.

Comments

179. Have quality standards been determined for enforcement agents?

Yes

No

Comments - If yes, what are the quality criteria used?

180. If yes, who is responsible for establishing these quality standards?

a professional body

the judge

the Ministry of Justice

other (please specify): Quality standards are set by law. There is a specific qualification estimation system for the sworn bailiffs set by Regulation No 451 issued by the Cabinet on the rates for the official activities of sworn bailiffs.

Comments

181. Is there a specific mechanism for executing court decisions rendered against public authorities, including supervising such execution?

Yes

No

Comments - If yes, please specify:

182. Is there a system for monitoring how the enforcement procedure is conducted by the enforcement agent?

Yes

No

Comments - If yes, please specify: The district (city) court performs supervision of the official activities of sworn bailiffs in accordance with civil procedural procedures. The Council of Latvian Sworn Bailiffs at least once a year ensure examination of books and execution files of each sworn bailiff. The Council of Latvian Sworn Bailiffs can give instructions and recommendations to the sworn bailiffs and, if necessary, assess an issue regarding initiation of a disciplinary matter or notify the relevant authorities for the sworn bailiff to be held criminally liable. Besides according to the Law on Bailiffs the Council of Latvian Sworn Bailiffs examine complaints and submissions received thereof, as well as may initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on its own initiative regarding:

- violation of statutes of Latvian Sworn Bailiffs College;

- violation of professional ethical standards;

- violation of methodology confirmed by Council of Latvian Sworn Bailiffs. Law in Bailiffs also prescribes that Minister of Justice has the power to initiate a disciplinary matter against a sworn bailiff upon a proposal of a judge or a prosecutor, as well as pursuant to a complaint of a person or on his own initiative.

All disciplinary cases are heard by Commission of Disciplinary Matters. The Commission of Disciplinary Matters. Includes 2 representatives of the Ministry of Justice, 2 representatives elected by the general meeting of the sworn bailiffs, 1 judge of the Supreme Court assigned by the Chief Justice of the Supreme Court.

183. What are the main complaints made by users concerning the enforcement procedure? Please indicate a maximum of 3.

no execution at all

- non execution of court decisions against public authorities
- lack of information
- excessive length
- unlawful practices
- insufficient supervision
- excessive cost
- other (please specify):

Comments

184. Has your country prepared or established concrete measures to change the situation concerning the enforcement of court decisions – in particular as regards decisions against public authorities?

- Yes
- No

Comments - If yes, please specify: On 23 November 2016 Parliament approved amendments in Civil Procedure Law to improve applying of one of the compulsory enforcement measures – recovery debtor`s deposits in credit institutions. Amendments states that in future time sworn bailiff and credit institutions exchange with information concerning debtors bank accounts and deposits and sworn bailiff give an order to the credit institution to transfer the deposited funds to the bailiff`s deposit account completely electronically. Amendments came into force on 1 July 2017 and will be fully implemented till 1 July 2019. Ministry of Justice have started work on revising regulation of Civil Procedure Law to improve and modernise bringing of recovery proceedings against movable property. One of the most significant changes planned - expanding use of e-auctions. E-auction system started functioning on 1st July 2015. Now it applies only to sell of real estate. Introduction of such electronic environment allowed achieving such benefits as fair competition between bidders, anonymity, expanding the circle of buyers and greater amount recovered for creditors. Aim is to provide possibility to organize auctions electronically for movables as well. Implementation time depends on speed of approval of amendments and practical abilities necessaire to create suitable IT infrastructure (the planned time of implementation of the reform – 01.07.2018.).

185. Is there a system measuring the length of enforcement procedures:

	Existence of the system
for civil cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
for administrative cases	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

186. As regards a decision on debt collection, please estimate the average timeframe to notify the decision to the parties who live in the city where the court sits (one option only):

- between 1 and 5 days
- between 6 and 10 days
- between 11 and 30 days
- more (please specify):

Comments

187. Number of disciplinary proceedings initiated against enforcement agents. (If a disciplinary proceeding is undertaken because of several reasons, please count the proceedings only once and for the main reason.)

	Number of disciplinary proceedings initiated
Total number of initiated disciplinary proceedings (1+2+3+4)	18 [] NA [] NAP
1. For breach of professional ethics	[] NA [X] NAP
2. For professional inadequacy	18 [] NA [] NAP
3. For criminal offence	[] NA [X] NAP
4. Other	[] NA [X] NAP

Comments - If "other", please specify:

188. Number of sanctions pronounced against enforcement agents:

	Number of sanctions pronounced
Total number of sanctions (1+2+3+4+5)	9 [] NA [] NAP
1. Reprimand	1 [] NA [] NAP
2. Suspension	2 [] NA [] NAP
3. Withdrawal from cases	[] NA [X] NAP
4. Fine	1 [] NA [] NAP
5. Other	5 [] NA [] NAP

Comments - If "other", please specify. If a significant difference between the number of disciplinary proceedings and the number of sanctions exists, please indicate the reasons: "Other" - Expressed a reproof. In 7 cases the Commission of Disciplinary Matters decided not to apply a disciplinary sanction and sent a decision to the Council of Latvian Sworn Bailiffs in order to explain to a sworn bailiff the incorrectness of his or her activity. In 2 cases the Commission of Disciplinary Matters terminated a disciplinary matter.

H1. Please indicate the sources for answering questions 186, 187 and 188:

Source: 186 – Civil Procedure Law. According to Civil Procedure Law a true copy of the judgment shall be sent to the participants in the matter who have not attended the court sitting, not later than three days after the judgment has been pronounced. It is considered that the judicial documents have been served on the seventh day from the day of sending, if the document have been sent by mail, or on the third day from the day of sending, if the documents have been sent by electronic mail. Thereby maximal timeframe to notify the decision to the parties is 1 day (if person have attended the court sitting and choose to receive the decision in person upon signature), 6 days (if the decision have been sent by electronic mail (3 days + 3 days) or 10 days (if the decision have been sent by mail (3 days + 7 days)). 187., 188. – Information provided by the Court System Supervision division of the Ministry of Justice of the Republic of Latvia.

8.2. Execution of decisions in criminal matters

8.2.1. Functioning of execution in criminal matters

189. Which authority is in charge of the enforcement of judgments in criminal matters? (multiple options possible)

Judge

Public prosecutor

Prison and Probation Services

Other authority (please specify): Sworn bailiffs. According to Criminal Procedure law in order to execute a judgment and a decision in the part regarding confiscation of property, and other recoveries of a financial nature, a court send for execution to a competent State institutions or writs of execution to a sworn bailiff.

Comments - Please specify his/her functions and duties (e.g. initiative or monitoring functions).

190. Are the effective recovery rates of fines decided by a criminal court evaluated by studies?

Yes

No

Comments

191. If yes, what is the recovery rate?

80-100%

50-79%

less than 50%

Comments - Please indicate the source for answering this question:

9. Notaries

9.1. Profession of notary

9.1.1. Number and status of notaries

192. Number and type of notaries in your country. If you do not have notaries skip to question

197.

	Number of notaries
TOTAL	125 [] NA [] NAP
Private professionals (without control from public authorities)	[] NA [X] NAP
Private professionals under the authority (control) of public authorities	125 [] NA [] NAP
Public agents	[] NA [X] NAP
Other	[] NA [X] NAP

Comments - If "other", please specify the status:

192-1. What are the access conditions to the profession of notary:

- diploma
- payment of a fee (e.g. purchasing office)
- co-opting of peers
- other

Comments

192-2. (Modified question) What is the duration of appointment of a notary?

- Limited duration, please indicate it in years:
- Unlimited duration

Comments

194. Do notaries have duties (multiple options possible):

- within the framework of civil procedure
- in the field of legal advice
- to certify the authenticity of legal deeds and certificates
- in the field of mediation

other (please specify): Make notarial deeds, accept money, securities and documents for bailment, accept subject matter of an obligation for bailment, conduct inheritance matters, draw up property division drafts in cases provided for by law, conduct divorce matters, perform other activities provided for by laws.

Comments

194-1. Do notaries have the monopoly when exercising their profession:

- in civil procedure

- in the field of legal advice
- to authenticate deeds/certificates
- in the field of mediation
- other

Comments - Please indicate any useful clarifications regarding the content of the notaries' monopoly or on the opposite regarding the competition they have to deal with: In cases prescribed by law notary have to deal the competition with Orphan Courts and Consular department, as well as with others authorities (for instance Land Register, Company Register).

194-2. As well as these activities, what are the other ones that can be carried out by notaries?

- Real estate transaction
- Settlement of estates
- Legality control of gambling activities
- Authentication of documents
- Translations
- Signatures
- Other

Comments

195. Is there an authority entrusted with supervising and monitoring the notaries' work?

- Yes
- No

Comments

196. If yes, which authority is responsible for supervising and monitoring notaries?

- a professional body
- the judge
- the Ministry of Justice
- the public prosecutor
- the Ministry of Interior
- other (please specify):

Comments

196-1. Is there a system of general continuous training mandatory for all notaries?

- Yes
- No

Comments

I1. Please indicate the sources for answering question 192:

Sources: Article 4, 9 and 10 of Notariate Law:
 Sworn notaries shall be appointed to office for life and they may hold this office until seventy years of age. The following persons may be sworn notaries:

- 1) citizens of the European Union Member States;
- 2) persons who have attained the age of twenty five years;
- 3) persons who meet the following educational criteria:
 - a) they have acquired a higher professional education of the second level in law and a lawyer's qualifications on the basis of the acquisition of an accredited study programme at an institution of higher education,
 - b) they have acquired a master's degree in law;
- 4) persons who are fluent in the official language;
- 5) persons who have acquired work experience working in one of the following positions:
 - a) for at least two years – in an assistant to a sworn notary position,
 - b) for at least two years – in the office of a judge,
 - c) for at least five years – in a sworn advocate position, sworn bailiff position, assistant to a judge position, assistant to a sworn advocate position, chief judge of Orphan's and Custody Court, deputy chief judge of Orphan's and Custody Court or a member of Orphan's and Custody Court position, the duties of which are equivalent to fulfilment of the work of a sworn notary,
 - d) for at least seven years – in other legal specialisation positions;
- 6) persons who have demonstrated their knowledge and abilities in the sworn notary examinations.

The following persons may not be sworn notaries:

- 1) persons who do not meet the requirements laid down in Section 9 of this Law;
- 2) persons who have been declared insolvent debtors by a court;
- 3) persons who have been declared suspects or the accused in criminal proceedings regarding committing an intentional criminal offence;
- 4) persons against whom the criminal proceedings regarding committing an intentional criminal offence have been terminated for reasons other than exoneration;
- 5) persons who have been convicted for committing an intentional criminal offence regardless of extinguishing or setting aside the criminal record;
- 6) persons for whom the right to hold a position of sworn notary has been removed by a court judgment in the criminal proceedings;
- 7) persons who have committed an intentional criminal offence earlier, but who have been released from serving a sentence;
- 8) persons who have been excluded from the number of sworn advocates or their assistants, dismissed from a prosecutor's position or have been dismissed from the office of a sworn bailiff, the assistants thereof, sworn notary, the assistants thereof or office of judge on the basis of a decision in a disciplinary matter, until five years have passed from the day of entering into effect of the decision in a disciplinary matter;
- 9) persons who are under trusteeship;
- 10) persons who act as sworn advocates or their assistants and sworn bailiffs or their assistants.

10. Court interpreters

10.1. Details on profession of court interpreter

10.1.1. Status of court interpreters

197. Is the title of court interpreters protected?

() Yes

(X) No

Comments

198. Is the function of court interpreters regulated by legal norms?

Yes

No

Comments

199. Number of accredited or registered court interpreters:

[]

NA

NAP

Comments

200. Are there binding provisions regarding the quality of court interpretation within judicial proceedings?

Yes

No

Comments - If yes, please specify:

201. Are the courts responsible for selecting court interpreters?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects court interpreters

Comments

J1. Please indicate the sources for answering question 199

Sources: Court Administration

11. Judicial experts

11.1. Profession of judicial expert

11.1.1. Status of judicial experts

202. In your system, what type of experts can be requested to participate in judicial procedures (multiple choice possible):

"expert witnesses", who are requested by the parties to bring their expertise to support their argumentation,

"technical experts" who put their scientific and technical knowledge on issues of fact at the court's disposal,

"legal experts" who might be consulted by the judge on specific legal issues or requested to support the judge in preparing the judicial work (but do not take part in the decision).

Other (please specify):

Comments

202-1. Are there lists or databases of technical experts registered?

Yes

No

Comments - Please, indicate any useful comment regarding these lists of experts if they do exist (e.g. : who decide of the registration on the list ? Is the registration limited in time ? does the expert take the oath ? how is his/her skill evaluated ? by whom ?) Law on Forensic Experts states that there is the Register of Forensic Experts (http://www.ta.gov.lv/lv/tiesu_ekspertu_padome_1481/tiesu_ekspertu_registrs__1474), which is a public register containing information regarding all forensic experts operating in the State. The Register is established and maintained by the Court Administration. The certification examination specified for candidates and the recertification examination specified for forensic experts given by the Commission for Certification of Forensic Experts. The Commission examines the knowledge of a candidate in the speciality chosen, as well as evaluate the level of knowledge of the regulatory enactments regulating the activities of a forensic expert, his or her skill to draw up an opinion of a forensic expert. After examination the Commission submits the evaluation of candidates knowledge and the protocol of the examination to the Council of Forensic Experts, which takes a decision regarding issuance of a forensic expert certificate (validity period 5 years) considering the evaluation of Commission, evaluation of the reviewers of candidates "Expert opinion". After receiving forensic expert certificate a person is registered in the Register of Forensic Experts. Professional activity of forensic experts is regulated by the Law on Forensic Experts and by the Cabinet regulations, which is referable only to certified forensic experts.

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection:

203-1. Does the expert have an obligation of training?

	Obligation of training
Initial training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Continuous training	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

203-2. If yes, does this training concern:

the proceeding

the profession of expert

other

Comments

204. Is the function of judicial experts regulated by legal norms?

Yes

No

Comments

204-1. On the occasion of a mission entrusted to him/her, does the expert have to report any potential conflicts of interest?

Yes

No

Comments

205. Number of accredited or registered judicial / technical experts:

316]

NA

NAP

Comments

205-1. Who sets the expert remuneration?

- Forensic expert service costs in criminal and administrative proceedings are covered from the budget of the institutions (according to the Law), the private expert service is covered by the Cabinet regulations. Forensic expert service costs in civil proceedings are covered by the Cabinet regulations.

206. Are there binding provisions regarding the exercise of the function of judicial expert within judicial proceedings?

Yes

No

Comments - If yes, please specify, in particular the given time to provide a technical report to the judge: Time needed to provide the report differs from case to case. There are not binding provisions regarding the time limit in order to provide a report to the judge except forensic medical expertise. The forensic medical experts have to provide the report within 30 days after the last object of research is transferred to experts. Forensic psychiatry expert should provide report made on outpatient conditions within 20 days but on stationary conditions – within 30 days.

207. Are the courts responsible for selecting judicial experts?

Yes, for recruitment and/or appointment for a specific term of office

Yes, for recruitment and/or appointment on an ad hoc basis, according to the specific needs of given proceedings

No, please specify which authority selects judicial experts

Comments

207-1. Does the judge control the progress of investigations?

Yes

No

Comments

K1. Please indicate the sources for answering question 205

12.Reforms in judiciary

12.1.Foreseen reforms

12.1.1.Reforms

208. Can you provide information on the current debate in your country regarding the functioning of justice? Are there foreseen reforms? Please inform whether these reforms are under preparation or have only been envisaged at this stage. Have innovative projects been implemented? If possible, please observe the following categories:

1. (Comprehensive) reform plans Within the scope of European Social Fund co-financed project “Justice for Growth”, the overall performance of the Latvian judicial system is assessed by the CEPEJ. The assessment provides for an independent analysis of the Latvian judicial system, recommendations for possible improvement and modernization. Conclusions will be used as a base for long-term policy planning documents and laws and regulations may be revised. The term for the evaluation is in 2018.

2. Budget No information on budget reforms

3. Courts and public prosecution services (e.g. powers and organisation, structural changes - e.g. reduction of the number of courts -, management and working methods, information technologies, backlogs and efficiency, court fees, renovations and construction of new buildings) There are plans on further reforms in number of courts.

3.1. Access to justice and legal aid On 2016 European Union has adopted following directives:

1.Directive 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings, which should be implemented till 1st of April 2018.

2.Directive (EU) 2016/800 the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, which should be implemented till 25 of May 2019.

3.Directive (EU) 2016/343 of the European Parliament and of the Council of 26 October 2016 on strengthening certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings, which should be implemented till 11 of June 2019.

On 2016 Ministry of Justice has start working on the investigating the areas of the Criminal Law and CPL where is required to make

amendments to ensure directive implementation in national legislation. Working group, where are representatives from

4. High Judicial Council In order to strengthen the independence of the judiciary, thereby reducing political influence on the career issues of judges, the Ministry of Justice has developed amendments to the law "On judicial power" what strengthens the role of the Judicial Council and assigns to the Judicial Council competence such matters:

- appointing the chief judges of district (city) and regional courts,
- transferring a judge to the vacant judge's position in the higher or lower level court;
- approving the judicial training program for judges and court staff

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. Amendments to the Advocacy Law of the Republic of Latvia are being prepared to increase the quality of the institute of advocacy, including to improve the system of examination and qualification raising of the advocates.

The Ministry of Justice has begun to work on the amendments requiring the documents necessary for corroboration be sent to the Land Register through the sworn notary, thus implementing this process in accordance with the principle of a one-stop-shop

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities •In 2016, the Subcommittee on Criminal Law of the Saeima Legal Committee of the Saeima of the Republic of Latvia continues to consider the draft law "Administrative Violation Process Law", which provides for changes in the area of administrative violations. The draft law has reviewed both the system of administrative penalties and the rules for the application of administrative liability. An administrative arrest is excluded from the system of administrative penalties, which means that courts of general jurisdiction will no longer have to fulfill their unusual function - the imposition of administrative penalties, as well as issues related to the execution of an administrative arrest. In the future, in the area of administrative violations, the court will only supervise the observance of the rule of law by reviewing the decision taken by the institution.

•On 1 September 2016, amendments to the LACC came into force, which stipulates that, in order to facilitate inter-institutional and personal cooperation and voluntary execution of fines, an institution (official), when considering an administrative offense case, is entitled to decide on the conditional partial release of a person from the money fine. A person may be conditionally partially exempted from payment of a fine in compliance with the preconditions listed by the Administrative Violation Process Law. Applying a conditional partial waiver of the fine, the institution (official) informs the person sentenced in administration of his obligation to pay within fifteen days the fine of 50 percent of the administrative fine. If an administrative offender fulfills this condition, it is exempted from paying the rest of the fine. If the condition is not met, the fine imposed is due in full. These amendments contribute to the reduction of court traffic.

•On 1 January 2017, amendments to the Administrative Violation Process Law came into force. They are aimed at simplifying and facilitating communication with the persons involved in the administrative violation process, promoting the disclosure of financial resources saving documents, basically reviewing the regulatory framework for the transmission of documents in registered postal mail, expanding the possibilities of electronic communication, including by providing that the court in communication Persons involved in administrative breach proceedings are using email or online communication.

•On June 1, 2016, amendments to the Law "On the Application of Compulsory Measurable Educational Charges to Children" and amendments to the Administrative Violation Process Law came into force, stipulating that the child firstly applies compulsory

measures of a correctional nature as an administrative offense, while an administrative punishment is applied only if the compulsory measures of a correctional nature application in the particular case is not useful. Consequently, administrative offenses in cases where compulsory measures of a correctional nature will be applied will no longer be subject to administrative penalties, therefore there will be no appeal.

•On February 16, 2016, the Law on the Prevention of Children's Anti-Social Behavior was announced at the State Secretaries' meeting. With the draft law, it is planned to introduce a system in Latvia that the child should not be punished for the manifestations of antisocial behavior, but, in the first place, it is necessary to eliminate the causes of this behavior. Consequently, it is planned that minors will no longer be subjects of an administrative violation and that administrative penalties for juveniles will not be applied to Administrative Violation Process Law cases, thus, in the cases of administrative offenses, judicial proceedings will be reduced as there will be no further appeal.

•On March 1, 2017, amendments to the Administrative Procedure Law, which provide for changes in the procedure of the ruling regarding the application, entered into force, introduction of an anti-admission institute, envisages changes to state fees and security, provides for changes to the regulatory framework for a new hearing of a case due to newly discovered circumstances, etc. There was an amendment in the CPL prepared and submitted to the Parliament on 29 June 2016 regarding Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters. On 20th of May 2017 above directive was implemented in Latvia.

7. Enforcement of court decisions No information

8. Mediation and other ADR No information

9. Fight against crime During 2016 there was a few important amendments made in the Criminal Law to fight against the crime in the different sectors.

1)There was an amendment made in the Criminal Law, adopted on 28 January 2016, which establishes criminal liability for manipulations with sports competitions in order to fight the crime in the sport (Section 212.1 of Criminal Law). Also in order to implement Directive 2014/62/EU of the European Parliament and of the Council of 15 May 2014 on the protection of the euro and other currencies against counterfeiting by criminal law, and replacing Council Framework Decision 2000/383/JHA and Directive 2014/57/EU of the European Parliament and of the Council of 16 April 2014 on criminal sanctions for market abuse criminal liability was established for a person who commits illegal use of internal information and manipulations in financial markets (Section 193.2 of the Criminal Law) and who commits manufacture, acquisition, storage, and distribution of equipment, software adapted for money counterfeiting (Section 192.1 of the Criminal law).

2)Amendments in the Criminal Law, adopted on 10 March 2016, established responsibility for financing of manufacture, storage, movement, use and distribution of weapons of mass destruction.

3)Amendments in the Criminal Law, adopted on 21 April 2016, was made with the aim to strengthen interests of the Latvia`s internal and external security and improve the protection of the circulation of official secrets or other state sensitive information. Crimes against the State (Section 80, 80.1 and 81 of the Criminal law) was amended according to the current situation and established criminal liability for a person who commits activities with the purpose to assist a foreign state or a foreign organization to take actions against national independence, sovereignty, territorial integrity, State power or administrative order of the Republic of Latvia (Section

81.1 of The Criminal Law).

4) To ensure that people don't serve in the armed forces, internal security forces, military organizations, intelligence services or security services, police (militia), or services of institution of justice of foreign states or other subjects of the international law or established in their territories on 29 December 2016 parliament accepted amendments in the Criminal Law by setting criminal liability for serving in the foreign county (Section 95.1 of the Criminal Law)

On 2016 there was an ongoing debate in order to establish more specific procedure about proceedings regarding criminally acquired property. Meantime there were debates about fight against money laundering. The Criminal Law and CPL working groups together with representatives from different state institutions were working together to draft amendments in the Criminal law and CPL on related areas of law, which was submitted to the Parliament for further debate at the end of the year.

9.1. Prison system There are no planned reforms to be undertaken to improve the quality and the efficiency of justice in the prison system.

9.2 Child friendly justice Latvia has finished work on the implementation of Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA in national legislation. On 18 of February 2016 amendments in the CPL was adopted, which improves protection of the minor's victim in criminal proceedings. In order to better protect interests of the victims the category of specially protected victim has been introduced in the CPL (Section 96.1 of the CPL), including minors in this category. According to the amendments in the section 501 (5) of the CPL the testimony previously given by the person who has not attained 14 of age or a minor victim in concrete criminal proceedings may be read or played in court, if a psychologist indicates on it. Following the section 152 (1) of the CPL the course of interrogation of a minor victim and witness can be recorded in an audio and video recording, if it is in the best interests of the minor and if it is necessary for achieving the objective of criminal proceedings and according to section 152 (2) of CPL a minor shall be interrogated by a performer of an investigative action who has special knowledge regarding communication with a minor during criminal proceedings. On 19 December 2016 amendments in the Criminal Law were submitted to the Parliament that provides that crimes committed against the person the age of eighteen can be recognized as an aggravating circumstance (Section 48 (1)). By these amendments in the Criminal Law it is recognized that minor is a person who has not reached 18 years changing existing age limit from 16 to 18 years. Amendments also introduces new aggravating circumstance, which is offense involving violence or threatening violence, or a deliberate criminal offense against the health or morals of a person and sexual immorality in the presence of a minor may be considered an aggravating circumstance. There is ongoing work in The Ministry of Justice on implementation the reform of criminal liability system of minors, providing that the juvenile will be subject to criminal liability only in certain cases. This will reduce the number of juvenile offenders and will foster a more successful integration of young people into society and in the labor market. The fact that a person is not convicted will improve the employment opportunities of young people in general. In order to implement the reform, a working group has been set up to draft amendments to the Criminal Law and the Criminal Procedure Law with a view to anticipating changes regarding the criminal liability of minors, types of penalties and reducing the number of minors subject to the traditional criminal system.

9.3. Violence against partners On December 19, 2016 amendments in the Criminal Law were submitted to the Parliament. Amendments were elaborated by incorporating requirements of the Council of Europe Convention on preventing and combating

violence against women and domestic violence and to prevent persons from domestic violence. Section 125 (2), section 126 (2) and section 130 (3) of the Criminal Law have been supplemented with a new the qualifying circumstance - acts committed against the person with whom the offender is at the first or second degree of kinship or against the spouse or ex-spouse or against the person with whom the offender has been or has been in the unmarried relationship or against the person with whom the perpetrator has a joint house holding.

Together with amendments in the Criminal Law amendments in the Law "On the Procedures for the Coming into Force and Application of the Criminal Law" was submitted to the Parliament. Amendments to Annex 3 to the above law have been made by specifying in which cases mental disorders can be recognized as serious injuries and when - moderate bodily injuries. Graduation of personal injuries in accordance with the harm caused to the health of a person is done so that persons are held to criminal liability for psychological abuse in family.

10. New information and communication technologies By the amendments to the Civil Procedure, changes were made to Article 56 of the Civil Procedure Law, excluding the first paragraph, which stipulated that the summons should be sent by registered post, registered mail with a notice of service, by electronic mail or delivered by a messenger.

Amendments to the second paragraph of the said article were made, providing for the general rule for delivery of court documents by simple mail, by electronic mail, or delivery by a messenger. The tenth paragraph of the said article specifies that in respect of certain judicial documents the law may provide for sending thereof by registered mail or other types of delivery or service thereof.

The transmission of documents by registered mail has been retained in separate articles of the Civil Procedure Law (mostly in cases where it has already been set beforehand), in which it could have a particularly sensitive effect - Article 142 (Enforcement of Decisions Taken on the Issue of Securing a Claim), Article 208.3 (Sending of a True Copy of the Default Judgment to the Defendant), Article 250.14 (Enforcement of the Decision to Determine Means of Provisional Remedy), Article 250.35 (Means of Provisional Protection), Article 250.62 (Notification, Issue and Sending of a Decision on Provisional Protection Against Violence), Article 534.1 (Sending an Application for Issue of a Writ of Execution for Enforcement of a Judgment of a Permanent Arbitration Court to Participants in the Case) and concerning the international civil procedure – Article 673 (Right of Addressee to Refuse to Accept Documents).

11. Other Reform of judicial map in Latvia (court house reform)

Accordingly, starting from 1 of February 2017, the City of Rga Zemgale Urban District Court has been reorganized and conjoined with the City of Rga Kurzeme District Court and changed the name of this court to City of Rga Prdaugavas Court.

On 12th June this year, Council for the Judiciary supported the project for reorganization of district (city) courts in the courts districts of Riga, Kurzeme, Vidzeme and Zemgale. Project is prepared by the Ministry of Justice. It is planned to create one court in each court district, except in Riga, ensuring the functioning of this court in all locations of the former courts. According the plans the reform in Latvia will be completed in 2018. Starting from 15 January 2018, Riga Northern District Court will be reorganized by joining it to the Riga City Vidzeme District Court.

From 1 February 2018, Talsi District Court, Kuldiga District Court, Saldus District Court and Ventspils Court will be reorganized, adding them to Liepaja Court and changing the name of the court – Kurzeme District Court.

As from 15 February 2018, Aluksne District Court, Gulbene District Court, Madona District Court, Cesis District Court, Limbazi District Court and Valka District Court will be reorganized, by joining them to the Valmiera District Court and changing the name of the court to – Vidzeme District Court.

From 1 March 2018, Tukums District Court, Dobeles District Court, Bauska District Court, Aizkraukle District Court, Jekabpils District Court and Ogre District Court will be reorganized by joining them to Jelgava Court and changing the name of the court to Zemgale District Court. On the same conditions will be reorganised all Land Registry Offices.

