



Reference data 2018 (01/01/2018 - 31/12/2018)

Start/end date of the data collection campaign : 01/03/2019 - 01/10/2019

Objective :

The CEPEJ decided, at its 31th plenary meeting, to launch the eighth evaluation cycle 2018 – 2020, focused on 2018 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 three observer states (Israel, Morocco and Kazakhstan). 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 and financial 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)

[1 919 968]

Comments

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	6 489 358 029 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Regional / federal entity level (total for all regions / federal entities)	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments The indicated number is total annual public expenditure on gross figures.
The net figure is 6263145569.

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

[15 136]

Comments

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

[12 384]

NA

Comments

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

[]

Allow decimals : 5

NAP

Comments

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

Sources: 1, 3, 4 - Central Statistical Bureau of Latvia - www.csb.gov.lv

2 - Law on National Budget on 2018

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 NA to the question 7.

	Approved budget (in €)	Implemented budget (in €)
TOTAL - Annual public budget allocated to the functioning of all courts (1 + 2 + 3 + 4 + 5 + 6 + 7)	62 526 134 [] NA [] NAP	61 805 831 [] NA [] NAP
1. Annual public budget allocated to (gross) salaries	46 719 966 [] NA [] NAP	46 420 174 [] NA [] NAP
2. Annual public budget allocated to computerisation	2 000 380 [] NA [] NAP	1 889 308 [] NA [] NAP
3. Annual public budget allocated to justice expenses (expertise, interpretation, etc.)	2 181 514 [] NA [] NAP	1 979 346 [] NA [] NAP
4. Annual public budget allocated to court buildings (maintenance, operating costs)	10 152 026 [] NA [] NAP	10 136 639 [] 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	264 636 [] NA [] NAP	263 073 [] NA [] NAP
7. Other (please specify)	1 207 612 [] NA [] NAP	1 117 291 [] NA [] NAP

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 reasons for the differences: Computerization – Additional costs were created due to changes in the legislation, that resulted in upgrades within the Court Informative System and Unified State Land Register. Also new applications, licenses and systems were purchased.

Justice expenses - There were changes in the legislation that resulted in reduction of postal costs, because court summons can now be sent by ordinary mail instead of registered.

Other - Due to the the court reform there was changes in administrative procedures, for example, the expenses for car rental increases, because additional cars were rented for the courts needs to ensure daily logistics procedure between court houses. Due to the price increase, the expenses for seminars and conferences have increased.

007. If you cannot answer question 6 because you cannot isolate the public 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 - Please indicate any useful comment to explain the figures provided. If the annual public budget actually implemented is different from the approved annual public budget, please indicate the main reasons for the differences:

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

	Litigants required to pay a court fee to start a proceeding at a court of general jurisdiction ?
for criminal cases	() Yes (X) No
for other than criminal cases	(X) Yes () No

If there are exceptions to the rule to pay these court fees, could you please provide comments on those exceptions?

008-1. Please briefly present the methodology of calculation of these court 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 requested 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 pluss 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 fees received by the State (in €):

[12 806 080]

[] NA

[] NAP

Comments Chancellery fee to the judicial authority, state fee in civil and administrative cases, fee for the submission of enforcement documents for enforcement, fines imposed by judicial authorities.

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)	2 212 650 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
12.1 for cases brought to court (court fees and/or legal representation)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

12.2 for cases not brought to court (legal advice, ADR and other legal services)	<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
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Comments

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)	1 726 526 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 598 541 <input type="checkbox"/> NA <input type="checkbox"/> NAP	127 985 <input type="checkbox"/> NA <input type="checkbox"/> NAP
12-1.1 for cases brought to court (court fees and/or legal representation)	<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
12-1.2 for cases not brought to court (legal advice, ADR and other legal services)	<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

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 reasons for the differences: The payments in 2016, 2017 and 2018 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. 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. On April 1, 2018 and January 1, 2019, the relevant regulations of the Cabinet of Ministers came into force, which provides increasing the amount of payment for certain types of legal aid and introducing new ones.

013. 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 € (including 13.1)	26 921 451 <input type="checkbox"/> NA <input type="checkbox"/> NAP	26 860 729 <input type="checkbox"/> NA <input type="checkbox"/> NAP
13.1. Annual public budget allocated to training of public prosecution services	33 764 <input type="checkbox"/> NA <input type="checkbox"/> NAP	33 764 <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, please indicate the main reasons for the differences: In 2018, the public budget was allocated to the Prosecutor's Office at EUR 26 921 451, of which EUR 26 860 729 was spent. Accordingly, a total of EUR 60 722 was not spent on the public budget, which was returned to the national budget due to the fact that the expenditure on translation services was less than the funding allocated for that purpose.

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

Ministry of Justice	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Other ministry	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Parliament	() Yes (X) No [] NAP	(X) Yes () No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Supreme Court	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
High Judicial Council	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP
Courts	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP
Inspection body	() Yes (X) No [] NAP	() Yes (X) No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP
Other	(X) Yes () No [] NAP	() Yes (X) No [] NAP	(X) Yes () No [] NAP	(X) Yes () No [] NAP

If any other Ministry and/or inspection body and/or other, please specify:

014-1. (Former question 61) 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	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Court President	() Yes (X) No	() Yes (X) No	(X) Yes () No	() Yes (X) No
Court administrative director	() Yes (X) No	() Yes (X) No	() Yes (X) No	() Yes (X) No
Head of the court clerk office	(X) Yes () No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other	(X) Yes () No	() Yes (X) No	() Yes (X) No	(X) Yes () No

Comments - If "other", please specify: Head of the court clerk office is Court Administration of Latvia

Other - Ministry of Justice

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

Sources: 6 - Court Administration, Supreme Court; 8, 9, 14 - Court Administration; 12 - Legal Aid Administration; 13 - Prosecutor General 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 judicial system budget - see 15-2 and other elements of the justice system - see 15-3)

	Approved budget (in €)	Implemented budget (in €)
Total annual public budget allocated to the whole justice system in €	256 454 903 [] NA [] NAP	252 927 163 [] 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, please indicate the main reasons for the differences:

015-2. Elements of the judicial system budget (Q6, Q7, Q12 and Q13)

	Included	Not included	Does not exist (NAP)
Courts (see question 6 or 7)	(X)	()	()
Legal aid (see question 12 or 7)	(X)	()	()
Public prosecution services (see question 13 or 7)	(X)	()	()

In the judicial systems budget is included courts, legal aid and Public prosecutor services.

015-3. Other budgetary elements

	Included	Not included	Does not exist (NAP)
Prison system	(X)	()	()
Probation services	(X)	()	()
High Judicial Council	()	(X)	()
Constitutional court	()	(X)	()
Judicial management body	(X)	()	()
State advocacy	()	(X)	()
Enforcement services	()	(X)	()
Notariat	()	(X)	()
Forensic services	(X)	()	()

Judicial protection of juveniles	()	(X)	()
Functioning of the Ministry of Justice	(X)	()	()
Refugees and asylum seekers services	()	(X)	()
Immigration Service	()	(X)	()
Some police services (e.g. : transfer, investigation, prisoners' security)	()	(X)	()
Other	()	(X)	()

If "other", please specify:

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

Sources: Ministry of Justice

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	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP
Legal advice, ADR and other legal services	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP

016-1. Please briefly describe the organisation of the legal aid system in your country both before going to court and during court proceedings.

- In accordance with the State Ensured Legal Aid Law and Regulations No 869 "Legal Aid Administration Regulation" adopted by the Cabinet of Ministers on 15 November 2005, the Legal Aid Administration manages the funds for the state ensured legal aid. The Legal Aid Administration provides legal aid:

- 1) in civil matters;
- 2) in administrative matters:

- within appeal of orphans' court decision on the protection of child's rights and legal interests;
- in appeal procedures within asylum granting process;

- within appeal of a decision on contested departure order or decision on contested decision on deportation;
- in administrative matters in court, where the court (the judge) has decided on granting of the state ensured legal aid pursuant to the case complexity and financial situation of the natural person;

3) In the Constitutional Court proceedings to a person, based on whose constitutional complaint the Constitutional Court has made a decision on refusal to initiate the case by justifying this decision only with the absence of legal grounds or its obvious lack for the claim satisfaction.

In a Constitutional Court process, civil matters and certain administrative matters, the state ensured legal aid is available to a person, who:

- has obtained the status of a low-income or needy person (it is granted by the municipal social service; 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);
- suddenly finds itself in a situation and material condition which prevents from ensuring its rights (due to a natural disaster or force majeure or other circumstances beyond their control);
- is fully dependent on the state or municipality.

The partial state ensured legal aid in lawyer's civil matters of certain type (on admitting a decision of members or shareholders of capital companies null and void and matters resulting from the law of obligations if the claim amount exceeds 150,000 euro) is available to persons:

- whose income level does not exceed the national minimum monthly wage;
- whose property condition is appropriate for receiving the legal aid.

A whistle-blower can receive the state ensured legal aid under cases laid down in the State Legal Aid Law without assessing his or her property.

The State ensure extrajudicial legal aid - legal consultations and the drawing up of procedural documents and legal aid - legal consultations, the drawing up of procedural documents and representation during legal proceedings in a court.

The order in which legal aid may be required before going to court and during court proceedings is the same. In order to receive the state ensured legal aid, the person must submit the following to the Legal Aid Administration:

- 1) filled-in form of the application for the state ensured legal aid with the copy of document confirming the person's right to request the legal aid;
- 2) copies of document related to the dispute nature, progress of the case etc.

Application on legal aid shall be reviewed and decision on granting or refusal to grant legal aid shall be adopted by the Administration within 21 days, but in matters affecting children's rights - within 14 days from the date of receipt of an application for legal aid, as well as in partial legal aid cases, the Legal Aid Administration takes a decision within one month. In the case of a positive decision, the Legal Aid Administration appoints a legal aid provider and determines the time and place of the first meeting with a person.

In criminal proceedings – for provision defence and representation persons address the person directing the proceedings (investigator, public prosecutor or judge) in cases and under procedure laid down in the Criminal Procedure Law (for more information please see the answer No.21).

The legal aid system in the Republic of Latvia doesn't include ADR.

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

Yes

No

NAP

If yes, please specify:

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

NAP

If yes, please specify:

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:

2.1.2. Information on legal aid

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

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

Comments - Please specify when appropriate: Legal Aid Administration is the competent authority of providing the State ensured legal aid in a Constitutional Court process, in civil matters and certain types of administrative cases. The Legal Aid Administration alone cannot select data on legal aid in existing cases directly in proceedings. In 2018 the Legal Aid Administration received 1665 applications for request of State ensured legal aid, decisions on ensuring legal aid in civil cases were adopted in 1253 cases, legal aid was ensured in 31 asylum cases. It must be noted that one case can last for several years, depending on the duration of proceedings, consequently, in a given year the Legal Aid Administration shall provide the legal aid both in cases undertaken in the previous years and new cases. The advocate shall provide the State ensured legal aid in criminal proceedings upon a request from the person directing the criminal proceedings to the senior of the sworn advocates or in urgent in conformity with the schedule of the advocates on duty compiled by the elder of the sworn advocates. In these cases, the Legal Aid Administration shall perform payments to an advocate regarding the legal assistance provided. According to the data available to the Legal Aid Administration legal aid was provided in approximately 8 347 criminal proceedings. Legal Aid Administration alone cannot select data on legal aid in cases existing directly in 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 Criminal Procedure Law legal aid can be granted as a mandatory or depends of sufficient financial means:

1. Suspects and accused persons (person who has a 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),
2. victims (poor or low-income person of legal age, if it not possible to ensure the protection of the rights and interests of the person in criminal proceedings) and minor victims (1. if the protection of the rights and interests are encumbered or otherwise not ensured, or the representatives submit a substantiated request to person directing criminal proceedings; 2. 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 depend, or for a criminal offence against morals and sexual inviolability).

022. In criminal cases are these individuals free to choose their lawyer within the framework of the legal aid system?

	free selection of lawyer
Accused individuals	() Yes (X) No [] NAP
Victims	() Yes (X) No [] NAP

Comments

023-0. Does your country have an income and assets evaluation for granting full or partial legal aid?

(X) Yes

() No

Comments - Please indicate if any other criteria are taken into account for the granting of legal aid and any comment that could explain the data provided above: Full legal aid to the applicant for criminal cases - There is a partly assets' system with some specific criteria (different to accused persons and victims (for more information please see the answer No.21);

Partial legal aid to the applicant for criminal cases - There isn't a partial legal aid system in criminal cases in the Republic of Latvia

Partial legal aid to the applicant for other than criminal cases - The partial state ensured legal aid since 1 January, 2019 in lawyer's civil matters of certain type (on admitting a decision of members or shareholders of capital companies null and void and matters resulting from the law of obligations if the claim amount exceeds 150,000 euro) is available to persons:

- whose income level does not exceed the national minimum monthly wage;
- whose property condition is appropriate for receiving the legal aid.

The Cabinet of Ministers determines the state of property and income level of the persons shall be regarded as appropriate for the receipt of legal aid and the procedures for the evaluation thereof. 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 (for more information please see the answer No.21). In a Constitutional Court process, civil matters and certain administrative matters, the state ensured legal aid is available to a person according to the set criteria (for more information please see answer no.16-1).

023. If yes, please specify in the table:

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

024. 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 (in a Constitutional Court process, in civil matters and certain kind of administrative cases) shall refuse to grant further assistance, or suspend the provision.

025. Is the decision to grant or refuse legal aid taken by:

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 a Constitutional Court process, 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. In criminal proceedings – for provision defence and representation persons address the person directing the proceedings (investigator, public prosecutor or judge) in cases and under procedure laid down in the Criminal Procedure Law and the person directing the proceedings invites an advocate for providing 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

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: The State Ensured legal aid law, the Civil procedure law, the Criminal procedure law, the Administrative procedure law, the Cabinet of Ministers Regulations, Legal Aid administration data

2.2. Court users and victims

2.2.1. Rights of the users and victims

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

	Yes	Internet adresse(es)
legal texts (e.g. codes, laws, regulations, etc.)	()	(X) www.likumi.lv
case-law of the higher court/s	()	(X) http://www.at.gov.lv/lv/judikatura/judikaturas-nolemumu-arhivs
other documents (e.g. downloadable forms, online registration)	()	(X) https://manas.tiesas.lv/eTiesasMvc/nolemumi

Please specify what documents and information are included in "other documents": Selection of anonymized decisions

029. Is there an obligation to provide information to the parties concerning the foreseeable timeframes of proceedings?

(X) Yes, always

() No

() Yes, only in some specific situations

Comments - If yes, only in some specific situations, please specify:

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

(X) Yes

() No

Comments - If yes, please specify: 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.

Victim support websites:

<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	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of terrorism	(X) Yes () No	(X) Yes () No	(X) Yes () No
Minors (witnesses or victims)	(X) Yes () No	(X) Yes () No	(X) Yes () No
Victims of domestic violence	(X) Yes () No	(X) Yes () No	(X) Yes () No
Ethnic minorities	(X) Yes () No	(X) Yes () No	(X) Yes () No
Disabled persons	(X) Yes () No	(X) Yes () No	(X) Yes () 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. In addition, also according with adopted amendments on 18 of February 2016 in the CPL a victim who is not referred to in Paragraph one of CPL section 96.1, but who, due to the harm inflicted as a result of a criminal offence, is particularly vulnerable and is not protected from repeated threat, intimidation, or revenge, shall be recognised as a specially protected victim by a decision of the person directing the proceedings. The fundamental rights of the victim have been improved and set in the section 97.1of 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:

Yes

No

Comments - If yes, please specify which procedures can be concerned (civil, criminal, administrative / normal or accelerated procedure) and at which conditions (can minor 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.

According Criminal Procedure Law (Section 89) in order to completely ensure the rights and interests of a minor person who has the right to defence and also if a minor is a victim, the representative thereof may participate in criminal proceedings, but also in all cases to minor must be an advocate.

In Administrative Procedure law (section 21) Procedural rights of those natural persons who have not attained the age of 15 years or who have been found to lack capacity to act, shall be exercised by their legal representatives. Procedural rights of those natural persons who have attained an age from 15 to 18 years shall be exercised by their legal representatives. In such matters the institution or the court shall invite the relevant minor to also participate. In cases prescribed by law, minors shall be entitled to independently exercise their procedural rights and fulfil duties. If by law the right to independently apply to an institution is conferred upon a minor who has attained the age of 15 years, she has the right to independently appeal an administrative act or actual action of an institution to a court. In such matters, at the discretion of the institution or the court, legal representatives of such persons may be invited in order to provide assistance to them in the conducting of the matter.

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

Yes, please specify for which kind of offences:

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. Is a court decision necessary in the framework of the compensation procedure?

Yes

No

Comments

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 victims (protection and assistance)?

Yes

No

Comments - If yes, please specify:

036. Do victims of offences have the right to dispute a public prosecutor's decision to discontinue a case? Please verify the consistency of your answer with that of the 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: The decision of the public prosecutor regarding the termination of criminal proceedings shall be appealed to a higher prosecutor.

037. Is there a system for compensating users in the following circumstances:

	Number of requests for compensation	Number of condemnations	Total amount (in €)
Total	48 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	192 378 <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): Cost increase exist because in 2016 there was less disbursement than in previous five years as well as the lowest expense rate since 2010. It is alleged that there was simply a coincidence in the cost of the claims, where no serious infringement of the rights of the individual could be established to determine a high level of non-pecuniary damage, or the amount of the loss was not high.

2.2.2 Confidence and satisfaction of citizens with their justice system

038. Does 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. 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. 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. 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. 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. 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. Surveys aimed at other court users (e.g. jurors, witnesses, experts, interpreters, representatives of governmental agencies, NGOs)	<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. 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://jpa.gov.lv/pub/?id=65>
As regards of surveys aimed at public prosecutors, in 2018 that kind of surveys are not carried out.

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.

Annually Court Administration makes a sociological survey of residents of Latvia "Attitude towards courts and interaction with the judicial process", where the assessment of judicial system is measured.

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

Yes

No

Comments

041. If yes, please specify certain aspects of this procedure:

	Authority responsible for dealing with the complaint	Existence of a time limit to deal with the complaint for this authority
Court concerned	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Higher court	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Ministry of Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
High Judicial Council	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Comments

041-1. If yes, please specify certain aspects of this procedure:

	Number of complaints	Compensation amount granted
Court concerned	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
Higher court	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Ministry of Justice	377 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
High Judicial Council	6 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
Other external bodies (e.g. Ombudsman)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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)	9 [] 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)	52 [] NA [] NAP

Comments Since the reform of March, 2018, the number of first instance courts has been reduced to 10 legal entities at first instance (9 general + 1 administrative). There are also 6 appellate courts and Supreme court.

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 Administrative court in Latvia.

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 - Please specify: Reform was finished in March 2018. In its course first instance court count was reduced to 10 (9 first instance + 1 first instance Administrative court).

In year 2020/2021 there is a plan of creating a court for economical cases that would be a specialised 1st instance court.

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

	Number of courts
a debt collection for small claims	34 [] NA [] NAP
an employment dismissal	34 [] NA [] NAP
a robbery	34 [] NA [] NAP
an insolvency case	34 [] NA [] NAP

Comments This is the actual count of geographic locations of first instance courts where the following cases can be heard.

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

Yes

No

Comments - If not, please give your definition for small claims: More can be read here: https://e-justice.europa.eu/content_small_claims-42-lv-maximizeMS_EJN-lv.do?member=1

045-2. Please indicate the value in € of a small claim:

[2 100]

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

Sources: Court count as legal entities and geographical locations are from Court administration data.

Question 45: Small claims are governed by Chapter 30.3 of the Civil Procedure Act: Articles 250.18 to 250.27, and further by Chapter 54.1: Articles 449.1 to 449.12.

Link to the law: <https://likumi.lv/ta/en/en/id/50500-civil-procedure-law>

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)	559 [] NA [] NAP	108 [] NA [] NAP	451 [] NA [] NAP
1. Number of first instance professional judges	381 [] NA [] NAP	61 [] NA [] NAP	320 [] 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	35 [] NA [] NAP	12 [] NA [] NAP	23 [] NA [] NAP

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

047. Number of court presidents (professional judges).

	Total	Males	Females
Total number of court presidents (1 + 2 + 3)	17 [] NA [] NAP	7 [] NA [] NAP	10 [] NA [] NAP
1. Number of first instance court presidents	10 [] NA [] NAP	4 [] NA [] NAP	6 [] 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 Currently there are 9 first instance courts + 1 first instance administrative court, 5 appellate courts + 1 administrative appellate court + Supreme court - 17 court presidents in total.

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	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full-time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

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

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

- Yes If yes, please give specifications on the types of cases and an estimate in percentage.
- No
- NAP

Comments

049. 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 or “juges consulaires”, but not arbitrators or persons sitting in a jury):

	Figure
Gross figure	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
In full time equivalent	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

Comments

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

	Yes	No	Echevinage
criminal cases (severe)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
criminal cases (misdemeanour and/or minor)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
family law cases	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

labour law cases	()	()	()
social law cases	()	()	()
commercial law cases	()	()	()
insolvency cases	()	()	()
other civil cases	()	()	()

NAP

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. If yes, for which type of case(s)?

Criminal cases

Other than criminal cases

Comments

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

[]

NA

NAP

Comments

052. Number of non-judge staff who are working in courts (if possible 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)	1 715 <input type="checkbox"/> NA <input type="checkbox"/> NAP	116 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 599 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Rechtspfleger (or similar bodies) with judicial or quasi-judicial tasks having autonomous competence and whose decisions could be subject to appeal	<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. 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)	1 059 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 009 <input type="checkbox"/> NA <input type="checkbox"/> 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)	477 [] NA [] NAP	39 [] NA [] NAP	438 [] NA [] NAP
4. Technical staff	83 [] NA [] NAP	16 [] NA [] NAP	67 [] NA [] NAP
5. Other non-judge staff	96 [] NA [] NAP	11 [] NA [] NAP	85 [] NA [] NAP

Comments - If "other non-judge staff", please specify: Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate).

052-1. Number of non-judge staff by instance (if possible 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)	1 715 [] NA [] NAP	116 [] NA [] NAP	1 599 [] NA [] NAP
1. Total non-judge staff working in courts at first instance level	1 291 [] NA [] NAP	65 [] NA [] NAP	1 226 [] NA [] NAP
2. Total non-judge staff working in courts at second instance (court of appeal) level	313 [] NA [] NAP	29 [] NA [] NAP	284 [] NA [] NAP
3. Total non-judge staff working in courts at Supreme Court level	111 [] NA [] NAP	22 [] NA [] NAP	89 [] NA [] NAP

Comments Discrepancy due to court reform (Land Registry offices integrated in general jurisdiction courts and historically high turnover rate)

053. 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
- NAP

Comments - Please briefly describe their status and duties:

054. Have the courts outsourced certain services under their responsibilities to external providers?

Yes

No

Comments

054-1. If yes, please specify which services have been outsourced:

IT services

Training of staff

Security

Archives

Cleaning

Other types of services (please specify):

Comments

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

Sources: The source of answers is from centralized court HR management system data on December 31st, 2018 for first and second instance courts. Supreme court has its own HR system.

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)	452 [] NA [] NAP	175 [] NA [] NAP	277 [] NA [] NAP
1. Number of prosecutors at first instance level	296 [] NA [] NAP	103 [] NA [] NAP	193 [] NA [] NAP
2. Number of prosecutors at second instance (court of appeal) level	77 [] NA [] NAP	32 [] NA [] NAP	45 [] NA [] NAP
3. Number of prosecutors at Supreme Court level	79 [] NA [] NAP	40 [] NA [] NAP	39 [] NA [] NAP

Please indicate any useful comment for interpreting the data above:

056. Number of heads of prosecution offices.

	Total	Males	Females
Total number of heads of prosecution offices (1 + 2 + 3)	59 [] NA [] NAP	28 [] NA [] NAP	31 [] NA [] NAP
1. Number of heads of prosecution offices at first instance level	41 [] NA [] NAP	18 [] NA [] NAP	23 [] NA [] NAP
2. Number of heads of prosecution offices at second instance (court of appeal) level	8 [] NA [] NAP	4 [] NA [] NAP	4 [] 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 those of public prosecutors?

() Yes

(X) No

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

057-1. Please specify their number (in full-time equivalent):

[]
[] NA

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

() Yes

() No

[] NAP

Comments

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

(X) Yes

() No

Comments Section 5.1 of the Law on the Protection of the Rights of the Child requires a public prosecutor to acquire specialised knowledge in the field of the protection of the rights of children, including the types of child abuse (sexual, physical, emotional), the characteristics thereof, domestic violence and contact with minors during criminal proceedings.

060. Number of staff (non-public prosecutors) attached to the public prosecution services (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	396 [] NA	110 [] NA	286 [] NA

Comments

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

Sources: Service of the Administrative Director of the Prosecutor's Office and Division for Prosecutors' Personnel and Professional Growth

3.4. Gender equality

3.4.1 Specific provisions for facilitating gender equality

061-2. Are there specific provisions for facilitating gender equality within the framework of the procedures for recruiting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

061-3. Are there specific provisions for facilitating gender equality within the framework of the procedures for promoting :

	Yes, please specify	No
judges	()	(X)
prosecutors	()	(X)

non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

[] NA

Comments - if the situation changed since the reference year, please specify in the comments. If you have additional comments please specify:

3.4.2 At national level

061-4. Do you have, at national level, one or more recent surveys or reports related to - wholly or partly - the distribution males/females within the judicial system concerning:

	Yes	No
judges	()	(X)
prosecutors	()	(X)
non-judge staff	()	(X)
lawyers	()	(X)
notaries	()	(X)
enforcement agents	()	(X)

Comments - If the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us?

061-5. Is there a national programme or an orientation document to promote males/females equality within the judicial system?

() Yes

(X) No

Comments - if the situation changed since the reference year, please specify in the comments. Could you specify the reference or internet link of this/these document(s) or send it/them to us?

061-6. At national level, is there any specific person (e.g. an equal opportunities commissioner)/institution dealing with gender issues in the justice system concerning:

	Yes, please specify	No
the recruitment of judges	()	(X)

the promotion of judges	()	(X)
the recruitment of prosecutors	()	(X)
the promotion of prosecutors	()	(X)
the recruitment of non-judge staff	()	(X)
the promotion of non-judge staff	()	(X)

Comments - if other than recruitment and/or promotion, please specify. If the situation changed since the reference year, please specify in the comments

061-6-1. Please specify the text which set up this person/institution :

(title, date, nature of the text)

[X] NAP

061-6-2. Please specify the status of this person/institution:

(e.g. independent, attached to the Ministry of Justice, to the High Judicial Council or equivalent or to an inter-ministerial institution specifically dedicated to gender equality)

[X] NAP

061-6-3. Please specify if this person/institution has an information and consultative function or if its opinions/decisions have legal consequences:

(e.g. block a decision or allow an appeal)

[X] NAP

3.4.3 At court/public prosecution services level



061-7. At the court or public prosecution services level, is there a person (e.g. an equal opportunities commissioner)/institution specifically dedicated to ensure the respect of gender equality in the organisation of judicial work:

Yes	No
-----	----

in courts (judges)	()	(X)
in public prosecution services (prosecutors)	()	(X)
for courts' non-judge staff	()	(X)

Comments - If yes, please specify their titles and tasks. If the situation changed since the reference year, please specify in the comments.

061-8. Does the feminisation of certain functions, if it exists in your country, within courts or public prosecution services, lead to concrete changes in the organisation of the work in the following areas:

	Yes	No
Assignment in different positions	()	(X)
Workload distribution	()	(X)
Working hours	()	(X)
Modalities of teleworking and presence in the work space	()	(X)
Replacement of absent persons	()	(X)
Organisation of the hearings	()	(X)
Other	()	(X)

Comments - If other, please specify. Could you also indicate concrete examples referring to the various possibilities mentioned? If the situation changed since the reference year, please specify in the comments.

061-9. In order to improve gender balance in access to different judicial professions and equality in promotion and in access to functions of responsibility, what are the measures, in your country, which:

have been already implemented (please specify) :

are planned (please specify) :

Comments - If the situation changed since reference year, please specify in the comments.

061-10. In your judicial system, and eventually based on evaluation, studies or official reports, what are the main causes of inequalities in:

recruitment procedures (please specify): General regulation on equal treatment

1. According to The Constitution of the Republic of Latvia (Section 91.). All human beings in Latvia shall be equal before the law and the courts. Human rights shall be realised without discrimination of any kind.

2. According to Law On Judicial Power (Section 51.) In the selection of judges, no discrimination based on origin, social and financial status, race or nationality, sex, attitude towards religion, type and nature of occupation, or political or other views is permitted.

promotion procedures and access to the functions of responsibility (please specify) : No measures are planned.

Comments - If the situation changed since reference year, please specify in the comments. This is not actual problem and issue for Latvia and no special measures are needed.

061-11. In your courts, is there particular attention given to gender issues regarding the public and users of justice, in particular:

	Yes, please specify	No
judges and court staff are more chosen among males or females according to the type of cases	()	(X)
the composition of hearings with several judges is always mixed	()	(X)
statistics exist concerning males and females who initiate a case/victims, accused persons, etc.	(X) We can discern victim gender in Criminal cases and use it in statistics to see how many of males/females are per case, as a victims or as accused persons.	()

Comments - if you have additional comments please specify. If the situation changed since reference year, please specify in the comments. We can discern victim gender in Criminal cases and use it in statistics to see how many of males/females are per case, as a victims or as accused persons.

3.5 Use of information technologies in courts

3.5.1 General policies in Information Technology in judicial systems

062-1. Basic principles and models used in Information technology policies and strategies definition

	Organisation
IT policies and strategies	<input checked="" type="checkbox"/> defined and coordinated at national level by one institution <input type="checkbox"/> defined and coordinated at national level by several institutions <input type="checkbox"/> defined and coordinated at unit/stakeholder level <input type="checkbox"/> other
IT Governance	<input checked="" type="checkbox"/> governed on national level by one institution <input type="checkbox"/> governed on national level by several institutions <input type="checkbox"/> organised at unit/stakeholder level <input type="checkbox"/> other

Comments

065-1. In case there is a national structure in charge of the strategic policy making and governance of the judicial system modernisation (including also IT) what is the composition of this structure?

- administrative, technical and scientific staff only
 mixed teams of judicial staff (judges/prosecutors/etc.) and administrative/technical/scientific staff
 other (please specify in a comment)

Comments - (please specify if there are other modernisation approaches that have been implemented):

065-2. Which is the organisational model primarily chosen for conducting structural IT projects in courts and the management of applications (maintenance, evolution)?

	Implementing new projects	Management of applications
Mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non
Mainly by professionals in the field (judges, prosecutors, non-judge judicial staff, etc.) with the help of an internal IT department and/or an external service provider	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Non
Other alternatives (external service provider only – specify in a comment)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Non

Comments - please also describe in case of “other alternatives” External contractor is used for structural IT projects in courts. Afterwards it is maintained and developed in cooperation mainly by an IT department with the help of professionals in the field (judges, prosecutors, non-judge judicial staff, etc.)

065-3. Is there a device of detection and promotion of innovations regarding IT coming from personal and/or local/court level initiatives?

Yes

No

Comments (please specify projects that have experienced national developments)

065-4. Have you measured the impact resulting from the implementation of one or several components of your new information system?

Yes

No

065-4-1. If yes, have you measured the impact on (multiple answers possible):

Business processes

Workload

Human resources

Costs

Other, please specify

Comments (please specify examples of the impact)

3.5.2 Security of courts information system and personal data protection

065-5. Are there independent audits or other mechanisms to contribute to the global security policy regarding the information system of the judiciary ?

Yes

No

Comments (please specify in particular if national frameworks of information security exist): There is a yearly security audit for state information systems.

065-6. Is the protection of personal data managed by courts ensured at legislative level?

Yes

No

Comment - If yes, please specify among others: if there are authorities specifically responsible for protection of personal data; the extent of the rights granted to citizens in the specific framework of software used by courts; if there are controls or limitations by law regarding the sharing of databases managed by courts with other administrations (police, etc.) Personal data managed by courts is governed by the Personal Data Processing Law that also states that the information to be provided to a data subject may not include a reference to public institutions which are persons directing criminal proceedings or bodies performing operational activities, and other institutions regarding which disclosure of such information is prohibited by law. The governing institution is Data State Inspectorate.

3.5.3 Centralised databases for decision support

062-4. Is there a centralised national database of court decisions (case-law, etc.)?

Yes

() Non

Comments <https://manas.tiesas.lv/eTiesasMvc/nolemumi> and <http://at.gov.lv/lv/judikatura/judikaturas-nolemumu-arhivs>

062-4-1. If yes, please specify the following information:

	For 1st instance decisions	For 2nd instance decisions	For 3rd instance decisions	Link with ECHR case law	Data anonymised	Case-law database available free online	Case-law database available in open data
Civil and/or commercial	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Criminal	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No
Administrative	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	(X) Yes all judgements () Yes some judgements () No	() Yes (X) No	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comments - if it exists in other matters please specify All the data that could allow for the person to be identified are anonymised including names, surnames, licence plates, addresses, bank account numbers, other document ID's etc.<https://manas.tiesas.lv/eTiesasMvc/nolemumi> and <http://at.gov.lv/lv/judikatura/judikaturas-nolemumu-arhivs>

062-6. Is there a computerised national record centralising all criminal convictions?

(X) Yes

() No

Comments Reports are automatically generated and available at the website <https://dati.ta.gov.lv/>

062-6-1. If yes, please specify the following information:

- Linkage with other European records of the same nature
- Content directly available through computerised means for judges and/or prosecutors
- Content directly available for purposes other than criminal (civil and administrative matters)

Comments - Please specify who is the authority delivering the access Court administration of Latvia is responsible for providing access to these data.

3.5.4 Writing assistance tools

062-7. Are there writing assistance tools for which the content is coordinated at national level? (models or templates, paragraphs already pre-written, etc.)

(X) Yes

() No

Comment – if it exists in other matters please specify

062-7-1. If yes, please specify the following information:

	Availability rate
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA

062-8. Are there voice recording tools?

Yes

() No

Comments

062-8-1. If yes, please specify:

	Availability of simple dictation tools	Availability of multiple speakers recording tools	Voice recognition feature
Civil and/or commercial	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> in all courts <input type="checkbox"/> in most of the courts <input type="checkbox"/> in some courts / some pilot phases <input type="checkbox"/> not available for this matter <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Pilot testing <input type="checkbox"/> No <input type="checkbox"/> NA

Criminal	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	() Yes (X) Pilot testing () No [] NA
Administrative	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	(X) in all courts () in most of the courts () in some courts / some pilot phases () not available for this matter [] NA	() Yes (X) Pilot testing () No [] NA

062-9. Is there an intranet site within the judicial system for distribution of news/novelities?

Availability rate:

- (X) 100% - accessible to everyone in judiciary
- () 50-99% - accessible for most judges/prosecutors in all instances
- () 10-49% - in some courts only
- () 1-9% - in one court only
- () 0% (NAP) - No access

[] NA

Comments

3.5.5 Technologies used for administration of the courts and case management

063-1. Is there a case management system (CMS) ? (Software used for registering judicial proceedings and their management)

- (X) Yes
- () No

Comments - if it exists in other matters please specify Court administration has implemented a world class business intelligence solution to work with court data.

063-1-1. If yes, please specify the following information:

CMS deployment rate	Status of case online	Centralised or interoperable database	Early warning signals (for active case management)	Status of integration/connection of a CMS with a statistical tool

Civil and/or commercial	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) accessible to parties () publication of decision online () both () not accessible at all [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Fully integrated including BI () Integrated () Not integrated but connected () Not connected at all [] NA [] NAP
Criminal	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) accessible to parties () publication of decision online () both () not accessible at all [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Fully integrated including BI () Integrated () Not integrated but connected () Not connected at all [] NA [] NAP
Administrative	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) accessible to parties () publication of decision online () both () not accessible at all [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Yes () No [] NA [] NAP	(X) Fully integrated including BI () Integrated () Not integrated but connected () Not connected at all [] NA [] NAP

063-2. Computerised registries managed by courts

	Deployment rate	Data consolidated at national level	Service available online	Statistical module integrated or connected
Land registry	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) Yes () No	(X) Yes () No	(X) Yes () No
Business registry	(X) 100% () 50-99% () 10-49% () 1-9% () 0% (NAP) [] NA	(X) Yes () No	(X) Yes () No	(X) Yes () No

Comment – if it exists in other matters please specify

063-6. Budgetary and financial management systems of courts

	Tool deployment rate	Data consolidated at national level	System communicating with other ministries (financial among others)
Budgetary and financial management of courts	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Justice expenses management	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Other (please specify in comments)	<input type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input checked="" type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

063-7. Measurement tools to assess the workload of judges, prosecutors and/or non-judge/non-prosecutor staff (tool quantifying the activity of judges, prosecutors and/or non-judge/non-prosecutor staff – for example the number of cases resolved)

Yes

No

Comments

063-7-1. If yes, please specify the following information:

	Tools deployment rate	Data used for monitoring at national level	Data used for monitoring at court local level	Tool integrated in the CMS
For judges	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
For prosecutors	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

For non-judge/non-prosecutor staff	<input checked="" type="checkbox"/> 100%	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
	<input type="checkbox"/> 10-49%	<input type="checkbox"/> NA	<input type="checkbox"/> NA	<input type="checkbox"/> NA
	<input type="checkbox"/> 1-9%	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP	<input type="checkbox"/> NAP
	<input type="checkbox"/> 0% (NAP)			
	<input type="checkbox"/> NA			

3.5.6 Technologies used for communication between courts, professionals and/or court users

064-2. Is there a possibility to submit a case to courts by electronic means?(possibility to introduce a case by electronic means, for example an e-mail or a form on a website)

Yes

No

Comments

064-2-1. If yes, please specify the following information:

	Availability rate	Simultaneous submission of cases in paper form remains mandatory	Specific legislative framework authorising the submission of a case	An integrated/connect ed tool with the CMS
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" 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
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" 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
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> Yes <input checked="" 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 it exist in other matters please specify Can be done by e-mail and other custom system.

064-3. Is it possible to request legal aid by electronic means?

Yes

No

Comments

064-3-1. If yes, please specify the following information:

	Requesting legal aid electronically
Availability rate	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA
Formalisation of the request in paper form remains mandatory	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Specific legislative framework regarding requests for legal aid by electronic means	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Granting legal aid is also electronic	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP
Information available in CMS	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/> NAP

064-4. Is it possible to transmit summons to a judicial meeting or a hearing by electronic means? (a judicial meeting relates to stages prior to a court hearing, with a view to mediation or conciliation)

Yes

No

Comments

064-4-1. If yes, please specify the following information:

	Summons produced by CMS	Simultaneous summon in paper form remains mandatory	Consent of the user to be notified by electronic means	Modalities (if other please specify in comments)	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> SMS <input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/>

Criminal	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> [] SMS <input checked="" type="checkbox"/> [X] E-mail <input checked="" type="checkbox"/> [X] Specific computer application <input type="checkbox"/> [] Other	<input type="checkbox"/> []
Administrative	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> []	<input checked="" type="checkbox"/> [X]	<input type="checkbox"/> [] SMS <input checked="" type="checkbox"/> [X] E-mail <input checked="" type="checkbox"/> [X] Specific computer application <input type="checkbox"/> [] Other	<input type="checkbox"/> []

Comments

064-6. Are there possibilities of electronic communication between courts and lawyers and/or parties? (sending of electronic files and data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

Communication between court and lawyers representing parties

(X) Yes

() No

Communication between court and parties not represented by lawyer

(X) Yes

() No

Comments

064-6-1. If yes, please specify the following information:

	Tool deployment rate	Trial phases concerned	Modalities (if there are different according to the trial phases or if other, please specify in a comment)	Specific legal framework
Civil and/or commercial	<input checked="" type="checkbox"/> [X] 100% <input type="checkbox"/> [] 50-99% <input type="checkbox"/> [] 10-49% <input type="checkbox"/> [] 1-9% <input type="checkbox"/> [] 0% (NAP) - for this matter <input type="checkbox"/> [] NA	<input checked="" type="checkbox"/> [X] Submission of a case to a court <input checked="" type="checkbox"/> [X] Phases preparatory to a hearing <input checked="" type="checkbox"/> [X] Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> [X] Transmission of court decisions	<input checked="" type="checkbox"/> [X] E-mail <input checked="" type="checkbox"/> [X] Specific computer application <input type="checkbox"/> [] Other	<input type="checkbox"/> [] Yes

Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) - for this matter <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Submission of a case to a court <input checked="" type="checkbox"/> Phases preparatory to a hearing <input checked="" type="checkbox"/> Schedule of hearings and/or appeals management <input checked="" type="checkbox"/> Transmission of court decisions	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Comments

064-7. Terms and conditions of electronic communication used by professionals other than lawyers (sending of electronic data concerning a judicial proceeding with or without scanned documents, mainly to develop dematerialised communication)

	Tool deployment rate	Modalities (if there are different according to the deeds or if other, please specify in a comment)	Specific legal framework
Enforcement agents (as defined in Q169 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Notaries (as defined in Q192 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes
Experts (as defined in Q202 and following)	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> E-mail <input checked="" type="checkbox"/> Specific computer application <input type="checkbox"/> Other	<input type="checkbox"/> Yes

Judicial police services	<input checked="" type="checkbox"/> 100%	<input checked="" type="checkbox"/> E-mail	<input type="checkbox"/> Yes
	<input type="checkbox"/> 50-99%	<input checked="" type="checkbox"/> Specific computer application	
	<input type="checkbox"/> 10-49%	<input type="checkbox"/> Other	
	<input type="checkbox"/> 1-9%		
	<input type="checkbox"/> 0% (NAP)		
	<input type="checkbox"/> NA		

Comments Mentioned practitioners can contact and communicate with courts using electronically signed messages or via the manas.tiesas.lv court e-service portal

064-9. Are there online processing devices of specialised litigation? (low value litigation, undisputed claims, preparatory phases to the resolution of family conflicts, etc. – please, specify in “comments” section)

Yes

No

Comments – Please describe the system that exists. Available at manas.tiesas.lv are specialized electronic templates that can be filled and submitted to the court via the mentioned e-service portal.

064-10. Videoconferencing between courts, professionals and/or users (this concerns the use of audio-visual devices in the framework of judicial proceedings such as the hearing of parties, etc.)

Yes

No

Comments

064-10-1. If yes, please specify the following information and describe in comments of this section the cases of actual use of videoconferencing and the expected benefits (for example, the use of this device to reduce the number of detainees’ transfers to the court):

	Deployment rate (chose one only)	Proceeding phase	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input checked="" type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input checked="" type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Prior to the hearing <input checked="" type="checkbox"/> During the hearing <input checked="" type="checkbox"/> After the hearing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Comments Although courts use videoconferencing technology hearings are recorded in audio only for audio protocol purposes.

064-11. Recording of hearings or debates (sound or audio-visual recording during the investigation and/or trial phase(s))

Yes

No

Comments

064-11-1. If yes, please specify the following information:

	Tool deployment rate	Type of recording	Specific legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <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
Criminal	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <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
Administrative	<input checked="" type="checkbox"/> 100% <input type="checkbox"/> 50-99% <input type="checkbox"/> 10-49% <input type="checkbox"/> 1-9% <input type="checkbox"/> 0% (NAP) <input type="checkbox"/> NA	<input checked="" type="checkbox"/> Sound <input type="checkbox"/> Video <input type="checkbox"/> Both <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

064-12. Is electronic evidence admissible?

	Admissibility of electronic evidence	Legislative framework
Civil and/or commercial	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
Criminal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only

Administrative	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> General law only <input type="checkbox"/> General and specialised law <input type="checkbox"/> Specialised law only
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Comments

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 at national level (are there quality systems for the judiciary and/or judicial quality policies)?

Yes

No

Comments - If yes, please specify:

067. Do you have specialised personnel entrusted with implementation of these national level quality standards?

	Yes / No
within the courts	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
within the public prosecution services	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

3.6.2.Performance and quality objectives at court level/public prosecution services

077. Concerning court activities, have you defined performance and quality indicators?

Yes

No

Comments

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

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)

- costs of the judicial procedures
- number of appeals
- appeal ratio
- clearance rate
- disposition time
- other (please specify):

Comments All of these indicators can and are used to evaluate different aspects of court work from efficiency, quality and stability to decision of filling out a vacancy.

First four modalities are included in the report that courts have to prepare for the Judiciary Council before the end of January.

077-1. Concerning public prosecution activities, have you defined performance and quality indicators?

- Yes
- No

Comments

078-1. If yes, please select the main performance and quality indicators for the public prosecution services that have been defined:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the public prosecutors)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

073. Do you have a system to evaluate regularly court performance based primarily on the defined indicators?

- Yes
- No

Comments

073-0. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify: Evaluation happens on a basis of request. The evaluation can happen for a single court or instance at any time for a number of reasons.

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

- Yes
- No

Comments Not currently, but there is a suggestion from State Audit Office and a subsequent proposition from Ministry of Justice and Court administration to the Judiciary Council to start to take court work statistical indicators into account when planning annual budget. If necessary, based on workload data resources can be allocated later within a court.

073-2. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

073-3. Do you have a system to evaluate regularly the performance of the public prosecution services based primarily on the defined indicators?

- Yes
- No

Comments

073-4. If yes, please specify the frequency:

- Annual
- Less frequent
- More frequent

Comments - If "less frequent" or "more frequent", please specify: Monthly reports on the results of the public prosecutor's work in pre-trial criminal proceedings and the results of work which are not related to the conduct of pre-trial criminal proceedings shall be drawn up in accordance with the order of the Prosecutor General.

073-5. Is this evaluation of the activity of public prosecution services used for the later allocation of resources within this public prosecution service?

- Yes
- No

Comments

073-6. If yes, which courses of action are taken?

- Identifying to the causes of improved or deteriorated performance
- Reallocating resources (human/financial resources based on performance (treatment))
- Reengineering of internal procedures to increase efficiency (treatment)
- Other (please specify):

Comments

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

- High Judicial Council
- Ministry of Justice
- Inspection authority
- Supreme Court
- External audit body
- Other (please specify): Court administration

Comments

079-1. Who is responsible for evaluating the performance of the public prosecution services (multiple options possible) :

- Public prosecutorial Council
- Ministry of Justice
- Head of the organisational unit or hierarchical superior public prosecutor
- Prosecutor General /State public prosecutor
- External audit body
- Other (please specify):

Comments

3.6.3. Measuring courts' / public prosecution services activity

070. Do you regularly monitor court activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of judges and court staff
- satisfaction of court staff
- satisfaction of users (regarding the services delivered by the courts)
- costs of the judicial procedures
- number of appeals
- appeal ratio

- clearance rate
- disposition time
- other (please specify):

Comments

070-1. Do you regularly monitor public prosecution activities (performance and quality) concerning:

- number of incoming cases
- length of proceedings (timeframes)
- number of resolved cases
- number of pending cases
- backlogs
- productivity of prosecutors and prosecution staff
- satisfaction of prosecution staff
- satisfaction of users (regarding the services delivered by the by the public prosecution)
- costs of the judicial procedures
- clearance rate
- disposition time
- percentage of convictions and acquittals
- other (please specify):

Comments

071. Do you monitor the number of pending cases and cases that are not processed within a reasonable timeframe (backlogs) for:

- civil law cases
- criminal law cases
- administrative law cases

Comments We have created a specific tool for this purpose that is available also in public from <https://dati.gov.lv/>

072. Do you monitor waiting time during judicial proceedings?

	Yes (If yes, please specify)	No
within the courts	<input checked="" type="checkbox"/> We can access data such as days until first hearing or time between hearings in a case that we use to measure waiting time during judicial proceedings.	<input type="checkbox"/>
within the public prosecution services	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments

3.6.4. Information regarding courts /public prosecution services activity



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

Yes (please indicate the name and the address of this institution): Court Administration

No

Comments Court Administration of Latvia, Antonijas street 6, Riga, Latvia

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 Available at <https://dati.ta.gov.lv/>

080-2. Is there a centralised institution that is responsible for collecting statistical data regarding the functioning of the public prosecution services?

Yes (please indicate the name and the address of this institution): General Prosecutor's Office

No

Comments Division of Prosecutors' Personnel and Professional Growth of the Department of Operational Analysis and Management, General Prosecutor's Office, Kalpaka boulevard 6, Riga, Latvia

080-3. Does this institution publish statistics on the functioning of each public prosecution service?

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 resolved cases 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):

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

Internet

Intranet (internal) website

Paper distribution

Comments Courts are required to submit this report to the Judiciary Council annually before the end of January.

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

- Annual
- Less frequent
- More frequent

Comments Courts are required to submit this report to the Judiciary Council annually before the end of January.

081-3. Are public prosecution services required to prepare an activity report (that includes, for example, data on the number of incoming cases, the number of decisions, the number of public prosecutors 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): Once a year, an annual meeting of the Prosecutor's Office is organised, with Members of the Parliament, Heads of Law Enforcement and State Institutions, as well as representatives of the media, in which the Prosecutor General gives an overview of the results of the work of the previous year of the Prosecutor's Office and determines the priority working directions for the current year. The report of the

081-4. If yes, please specify in which form this report is released:

- Internet
- Intranet (internal) website
- Paper distribution

Comments

081-5. If yes, please, indicate the periodicity at which the report is released:

- Annual
- Less frequent
- More frequent

Comments

3.6.5 Courts administration

082. Is there a process or structure of dialogue between the public prosecution services and courts regarding 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: An electronic calendar has been developed for courts and prosecutors, which allows to determine the occupancy of the prosecutors and thus reducing the number of court hearings suspended.

082-1. Is there in general a process or structure of dialogue between lawyers and courts regarding the way cases are presented before courts in other than criminal matters (e.g. organisation, number

and planning of hearings, on-call service for urgent cases)?

Yes

No

Comments - If yes, please specify: An electronic calendar has been developed for courts and lawyers, which allows for judge to see when a certain lawyer has scheduled court hearings, is on vacation, etc. The calendar makes it easier to designate court cases in all court procedures (including also criminal cases). This electronic calendar is part of the Court Information System, and is administered by the Court Administration of Latvia.

3.6.6 Performance and evaluation of judges and public prosecutors

083. Are there quantitative performance targets defined for each judge (e.g. the number of resolved cases in a month or year)?

Yes

No

Comments

083-1. Who is responsible for setting the individual 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

114. Is there a system of qualitative individual assessment of the judges' work?

Yes

No

Comments There is a judicial self-governing body (Tiesnešu kvalifikcijas kolija) that evaluates judges work from qualitative side every five years.

114-1. If yes, please specify the frequency of this assessment:

Annual

Less frequent

More frequent

083-2. Are there quantitative performance targets defined for each public prosecutor (e.g. the number of decisions in a month or year)?

Yes

No

Comments

083-3. Who is responsible for setting the individual targets for each public prosecutor

- Executive power (for example the Ministry of Justice)
- Prosecutor General /State public prosecutor
- Public prosecutorial Council
- Head of the organisational unit or hierarchical superior public prosecutor
- Other (please specify):

Comments

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

- Yes
- No

Comments

120-1. If yes, please specify the frequency of this assessment:

- Annual
- Less frequent
- More frequent

Comments

C4. Please indicate the sources for answering the questions in this chapter:

Sources: More about qualification collegie here: <http://at.gov.lv/lv/tieslietu-padome/tiesnesu-pasparvaldes-institucijas/tiesnesu-kvalifikacijas-kolegija>
 Ministry of Justice, Court Administration
 Prosecutor General Office

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 is represented by a lawyer)?

- NA
- NAP

Comments - Please add methodology for calculation used.

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

Yes

No

Comments - Please could you briefly specify:

085-1. Ratio between the total number of initiated procedures of challenges and total number of finalised challenges (in the reference year):

[]

NA

Comments

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

For civil procedures (non-enforcement)

For civil procedures (timeframe)

For criminal procedures (timeframe)

NAP

Comments - Please specify what are the terms and conditions of this monitoring system (information related to acknowledged violations by ECHR at the State/courts level; 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.

086-1. Is there in your country a possibility to review a case after a decision on violation of human

rights by the European Court of Human Rights?

Yes

No

NAP

Comments

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

Sources: Ministry of Justice

4.2. Timeframe of proceedings

4.2.1. General information

087. Are there specific procedures for urgent matters regarding:

civil cases

criminal cases

administrative cases

There is no specific procedure for urgent matters

Comments - If yes, please specify:

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:

088-1. For these simplified procedures, may judges deliver an oral judgement with a written order and without the full reasoning of the judgement ?

civil cases

criminal cases

administrative cases

Comments - If yes, please specify: By 1 March 2018, the Civil Procedure Law introduces a judgment of a court of abbreviated content in the specific cases provided for in Article 194:

- if the defendant has fully recognised the claim and the court is satisfied;
- in the case of a judgment by default, if the court is satisfied it in full;
- simplified procedure cases;
- in cases of rights under dispute before the Board of Appeal for Industrial Property.

Simplified procedures cases (small claims) and cases under dispute before the Board of Appeal for Industrial Property will also take effect if neither party asks the court to draw up a “full” judgment including reasoning. But in the case of reduced judgments, where the

defendant has fully recognised the claim and the court satisfied it and in the case of a judgment by default if the court is satisfied in full, the judgments in short will be final judgments (the parties do not have the right to seek a reasoned judgment).”

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)?

(X) 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. 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
Total of other than criminal law cases (1+2+3+4)	25 433 [] NA [] NAP	317 227 [] NA [] NAP	317 970 [] NA [] NAP	24 690 [] NA [] NAP	2 670 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	19 522 [] NA [] NAP	27 778 [] NA [] NAP	28 712 [] NA [] NAP	18 588 [] NA [] NAP	2 603 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	4 499 [] NA [] NAP	287 606 [] NA [] NAP	287 320 [] NA [] NAP	4 785 [] NA [] NAP	6 [] 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)	4 499 [] NA [] NAP	42 345 [] NA [] NAP	42 059 [] NA [] NAP	4 785 [] NA [] NAP	6 [] NA [] NAP
2.2. Registry cases (2.2.1+2.2.2+2.2.3)	0 [] NA [] NAP	245 261 [] NA [] NAP	245 261 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] NAP

2.2.1. Non litigious land registry cases	0 [] NA [] NAP	245 261 [] NA [] NAP	245 261 [] NA [] NAP	0 [] NA [] NAP	0 [] NA [] 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	1 412 [] NA [] NAP	1 843 [] NA [] NAP	1 938 [] NA [] NAP	1 317 [] NA [] NAP	61 [] NA [] NAP
4. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments In 2018 there were several stages of court system reform. Several District courts were merged, and The Land Register offices appended to the District courts. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved.

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. 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+3)	5 908 [] NA [] NAP	16 913 [] NA [] NAP	17 244 [] NA [] NAP	5 577 [] NA [] NAP	890 [] NA [] NAP
1. Severe criminal cases	4 744 [] NA [] NAP	9 165 [] NA [] NAP	9 652 [] NA [] NAP	4 257 [] NA [] NAP	870 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	1 164 [] NA [] NAP	7 748 [] NA [] NAP	7 592 [] NA [] NAP	1 320 [] NA [] NAP	20 [] NA [] NAP
3. Other cases	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] 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". If "Other cases" please specify: There may be some change in data due to court system reform.

4.2.3. Case flow management – second instance

097. 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
Total of other than criminal law cases (1+2+3+4)	2 175 [] NA [] NAP	5 619 [] NA [] NAP	5 895 [] NA [] NAP	1 899 [] NA [] NAP	156 [] NA [] NAP
1. Civil (and commercial) litigious cases (including litigious enforcement cases and if possible without administrative law cases, see category 3)	1 528 [] NA [] NAP	4 464 [] NA [] NAP	4 661 [] NA [] NAP	1 331 [] NA [] NAP	97 [] NA [] NAP
2. Non litigious cases (2.1+2.2+2.3)	0 [] NA [] NAP	6 [] NA [] NAP	6 [] NA [] NAP	0 [] 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)	0 [] NA [] NAP	6 [] NA [] NAP	6 [] NA [] NAP	0 [] 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	<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
2.2.2 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	<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
3. Administrative law cases	647 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 149 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 228 <input type="checkbox"/> NA <input type="checkbox"/> NAP	568 <input type="checkbox"/> NA <input type="checkbox"/> NAP	59 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other 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 - If “Other cases” please specify Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

098. 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+3)	572 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 543 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 603 <input type="checkbox"/> NA <input type="checkbox"/> NAP	512 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Severe criminal cases	487 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 400 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 504 <input type="checkbox"/> NA <input type="checkbox"/> NAP	383 <input type="checkbox"/> NA <input type="checkbox"/> NAP	41 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Misdemeanour and / or minor criminal cases	85 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 143 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 099 <input type="checkbox"/> NA <input type="checkbox"/> NAP	129 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Other 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 - 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". If “Other cases”, please specify. Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – pending. Data on court statistics are being calculated by automated systems and records on changes that affect data in database are not available. Any changes to the Court Information System can affect the data.

4.2.4. Case flow management – Supreme Court

099. 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
Total of other than criminal law cases (1+2+3+4)	1 614 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 186 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 149 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 651 <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)	741 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 082 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 170 <input type="checkbox"/> NA <input type="checkbox"/> NAP	653 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2. Non litigious cases (2.1+2.2+2.3)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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)	<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. Registry cases (2.2.1+2.2.2+2.2.3)	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.2.1. Non litigious land registry cases	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	43 <input type="checkbox"/> NA <input type="checkbox"/> NAP	42 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> 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	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input 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	<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
3. Administrative law cases	869 <input type="checkbox"/> NA <input type="checkbox"/> NAP	850 <input type="checkbox"/> NA <input type="checkbox"/> NAP	761 <input type="checkbox"/> NA <input type="checkbox"/> NAP	958 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4. Other cases	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	210 <input type="checkbox"/> NA <input type="checkbox"/> NAP	175 <input type="checkbox"/> NA <input type="checkbox"/> NAP	39 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "Other cases", please specify Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

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

(X) Yes

() No

Comments

099-1-1. If yes, please indicate the number of:

cases received by the Highest court? [2 920]

cases closed by this procedure? [1 230]

Comments

100. 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+3)	94 [] NA [] NAP	734 [] NA [] NAP	668 [] NA [] NAP	160 [] NA [] NAP	0 [] NA [] NAP
1. Severe criminal cases	94 [] NA [] NAP	734 [] NA [] NAP	668 [] NA [] NAP	160 [] NA [] NAP	0 [] NA [] NAP
2. Misdemeanour and / or minor criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Other cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] 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". If "Other cases", please specify Supreme Court does not rely only on data in the Court Information System, they keep separate sheet for statistics

4.2.5. Case flow management and timeframes – specific cases



101. 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
Litigious divorce cases	1 178 [] NA [] NAP	1 569 [] NA [] NAP	1 648 [] NA [] NAP	1 099 [] NA [] NAP
Employment dismissal cases	276 [] NA [] NAP	355 [] NA [] NAP	427 [] NA [] NAP	204 [] NA [] NAP

Insolvency	4 718 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 990 <input type="checkbox"/> NA <input type="checkbox"/> NAP	2 666 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 042 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Robbery case	130 <input type="checkbox"/> NA <input type="checkbox"/> NAP	184 <input type="checkbox"/> NA <input type="checkbox"/> NAP	182 <input type="checkbox"/> NA <input type="checkbox"/> NAP	132 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Intentional homicide	44 <input type="checkbox"/> NA <input type="checkbox"/> NAP	57 <input type="checkbox"/> NA <input type="checkbox"/> NAP	40 <input type="checkbox"/> NA <input type="checkbox"/> NAP	61 <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 Partially due to court system reform, Court Information System database has undergone several error checks and data clean-ups, that has affected amount of cases, especially – unresolved. Data on court statistics are being calculated by automated systems, we do not keep track on any changes that affect data in database. Any changes to the Court Information System can affect the data.

101-1. 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 be 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 rights 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 seekers 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
Civil and commercial litigious cases	16 [] NA [] NAP	270 [] NA [] NAP	122 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Litigious divorce case	10 [] NA [] NAP	273 [] NA [] NAP	116 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Employment dismissal case	45 [] NA [] NAP	269 [] NA [] NAP	84 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Insolvency	3 [] NA [] NAP	759 [] NA [] NAP	188 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Robbery case	27 [] NA [] NAP	327 [] NA [] NAP	83 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
Intentional homicide	80 [] NA [] NAP	212 [] NA [] NAP	184 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments

103. Where appropriate, please indicate the specific procedure regarding 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 six 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):

- [X] to conduct or supervise police investigation
- [X] to conduct investigations
- [X] when necessary, to request investigation measures from the judge
- [X] to charge
- [X] to present the case in court
- [X] to propose a sentence to the judge
- [X] to appeal
- [X] to supervise the enforcement procedure
- [X] to discontinue a case without needing a decision by a judge (ensure consistency with question 36!)
- [X] to end the case by imposing or negotiating a penalty or measure without requiring a judicial decision
- [X] other significant powers (please specify):

Comments A public prosecutor is entitled to protect the rights and legitimate interests of persons and of the State in accordance with the procedures specified in the Law, as well as to submit an application for an action or an application to a court and to participate in the

adjudication of cases in court. The criteria according to which the public prosecutor is guided when deciding the question regarding the need for verification are laid down in Section 16 of the Law on the Public Prosecutor's Office.

106. Does the public prosecutor also have a role in:

civil cases

administrative cases

insolvency cases

Comments - If yes, please specify: A public prosecutor must take part in a civil proceeding if he has filed an application, filed an application or his or her participation is compulsory. The participation of a public prosecutor in the adjudication of a case is mandatory if it has been recognised by the court or it has been specified in the norms of the Civil Procedure Law, for example in cases regarding approval and revocation of adoption, in cases regarding the determination of limitations on the capacity of a person and the establishment of guardianship due to mental nature or other health disorders, etc.

A public prosecutor may bring an action or submit an application to a court, if: 1) it is necessary for the protection of the rights and interests of the State or local government specified in law; 2) violations of the rights or lawful interests of minors, persons under auspices, persons with disabilities, prisoners or other persons who have limited opportunities to defend their rights; 3) by carrying out a public prosecutor's verification, a violation of the law has been determined.

The rights of a public prosecutor in administrative infringement proceedings shall be governed by Section 242 of the Latvian Code of Administrative Violations. A public prosecutor, in examining information regarding a violation of the Law, is entitled: to initiate proceedings regarding an administrative violation; to familiarise themselves with the materials of the case; to submit a protest regarding a decision in a case and a decision taken regarding a complaint in an administrative violation case; to perform other activities provided for in the Law of 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	13 111 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 135 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	8 887 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments Cases brought to court

8887 cases with the total number of criminal offenses - 14569

107-1. If the guilty plea procedure exists, how many cases were brought to court by the prosecutor through this procedure?

	Number of guilty plea procedures
Total	1 524 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Before the court case	1 429 <input type="checkbox"/> NA <input type="checkbox"/> NAP
During the court case	95 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

108. Total number of cases which were discontinued by the public prosecutor.

	Number of cases
Total number of cases which were discontinued by the public prosecutor (1+2+3+4)	1 135 [] NA [] NAP
1. Discontinued by the public prosecutor because the offender could not be identified	15 [] NA [] NAP
2. Discontinued by the public prosecutor due to the lack of an established offence or a specific legal situation	381 [] NA [] NAP
3. Discontinued by the public prosecutor for reasons of opportunity	739 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments

109. Do the figures include traffic offence cases?

Yes

No

Comments

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

Sources: Internal statistical recording system of the Prosecutor's Office.

5. Career of judges and public prosecutors

5.1. Recruitment and promotion

5.1.1. Recruitment and promotion of judges

110. 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

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: Judges are initially recruited by committee specifically made for each case. It consists of Chief Judge of particular court where is a vacancy, Chief Judge of Regional court, 2 representatives of Court administration and 1 representative from Ministry of Justice. Candidate who succeed in the recruitment process is appointed as intern in particular court. After internship candidate must pass qualification exams before Qualification board and Qualification board gives conclusion about the candidate. In case of positive conclusion candidate is appointed as a Judge by the Parliament.

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

- Yes
- No

Comments Authority competent for the promotion of judges is Qualification Board who gives their conclusion to Council for the Judiciary who gives final decision.

113. What is the procedure for the promotion of judges? (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):

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”):

5.1.2. Status, recruitment and promotion of prosecutors

115. What is the status of public 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...).

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

Yes

No

Comments - If yes, please specify:

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 from the examination of general and legal knowledge a person who has successfully passed an examination of the qualification of a judge or lawyer during the last three years, who has previously worked for the position of prosecutor or who complies with the requirements of a judge, academic staff of the speciality of higher education law or a sworn lawyer for the candidacy of a prosecutor specified in Sections 34 and 35 of the Law of the Prosecutor. position.

However, in accordance with Section 33, Paragraph 2 of the Law on the Prosecutor, Prosecutor General may exempt a person from taking a qualification examination, who complies with the requirements specified in Sections 34 and 35 of the Law referred to in Section 33 of the Law of the Prosecutor General, who conforms to the judge, academic staff of the speciality of high school law or a sworn lawyer, also from taking 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: The decision of the Council of the Prosecutor General stipulates that applicants for the position of prosecutor shall be subject to an examination of general and legal knowledge. At the same time, in accordance with Paragraph 9 of the Regulations for the selection of candidates for the position of prosecutors, the Prosecutor General may exempt from the examination of general and legal knowledge a person who has successfully passed a qualification examination of a judge or lawyer for the last three years, who has previously worked in the position of a prosecutor or who corresponds to a judge, academic staff of a speciality of high school law or a sworn lawyer for the requirements specified in Sections 34 and 35 of the Law on the Prosecutor's Office for standing as a public prosecutor.

The assessment of the knowledge of applicants shall be performed by the Commission for the Qualification of Prosecutors, and the applicants who have successfully passed the examination shall be recommended for further evaluation by the Commission for the Attestation of Prosecutors, who shall give an opinion regarding the conformity of the applicant with the status of the candidate for the position of a public prosecutor.

A traineeship agreement shall be concluded with this candidate until the decision on his or her eligibility for the position of public prosecutor has been decided. Only after the successful execution of the internship programme, the passing of the qualification examination and the receipt of the opinion of the Commission for the Attestation of prosecutors regarding compliance with the position of the public prosecutor may the person be appointed to the office of the public prosecutor.

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

Yes

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

119. What is the procedure for the promotion of prosecutors? (multiple answers possible)

- Competitive test / exam
- 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 raising a prosecutor in the position, the Commission for the Attestation of Prosecutors shall issue an opinion regarding the conformity of the prosecutor with the position of prosecutor and shall make a proposal to the Prosecutor General to raise a specific prosecutor in the position. The Commission for the Attestation of Prosecutors shall evaluate the quality and effectiveness of the performance of the professional duties of a public prosecutor, work experience, organisation of individual work, participation in refresher measures, statistical indicators of work, etc. criteria.

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

- 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”):

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: A judge shall be removed from office:

- 1) pursuant to his or her own request;
- 2) in connection with election or appointment to another office;
- 3) due to his or her state of health if it does not allow him or her to continue to work as a judge;
- 4) if he or she has repeatedly received an unfavourable opinion in the assessment of his or her professional work.

A judge shall be dismissed from office:

- 1) if the judge has been convicted, and the judgment of the court has come into legal effect; or
- 2) on the basis of a decision of the Judicial Disciplinary Board.

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

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):3

No

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 to another position, due to the achievement of the maximum age of performance of duties (65 years), etc. In accordance with Article 38.1 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 At the moment, the law does not specify the term of the probation period, but in practice the candidate for the vacant position of a district (city) public prosecutor has been appointed in accordance with the term specified in the traineeship agreement, i.e. up to six months.

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

[]

NA

NAP

Comments

125-1. Is it renewable?

Yes

No

NAP

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)?

[]

[X] NA

[] NAP

Comments It is for undetermined period.

126-1. Is it renewable?

() Yes

() No

[X] NAP

Comments

E1. Please indicate the sources for answering the questions in this chapter:

Sources: Court Administration Prosecutor General Office
--

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)	(X) Yes () No	() Yes (X) No	() Yes (X) No
General in-service training	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for specialised judicial functions (e.g. judge for economic or administrative issues)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for management functions of the court (e.g. court president)	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training for the use of computer facilities in courts	() Yes (X) No	(X) Yes () No	() Yes (X) No
In-service training on ethics	() Yes (X) No	(X) Yes () No	() Yes (X) 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 checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training for the use of computer facilities in courts	<input checked="" type="checkbox"/> Regularly (for example every year) <input type="checkbox"/> Occasional (as needed) <input type="checkbox"/> No training proposed
In-service training on ethics	<input checked="" type="checkbox"/> Regularly (for example every year) <input 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: The training is provided regularly but it is not mandatory for a judge to attend the training.

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 (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
In-service training on ethics	<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 (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
In-service training on ethics	<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: Section 5, Paragraph 3 of the Law on the Prosecutor's Office directly imposes an obligation on prosecutors to continue continuing training. In accordance with the Code of Ethics of Latvian prosecutors, prosecutors must also take care of the growth of their professional qualifications.

In addition, Decision No 14 of the General Prosecutor's Council of 29 June 2016 adopted a Statute providing that the Commission for the Qualifications of Prosecutors shall draw up a programme of traineeships for the candidate for the post of public prosecutor. It sets out a requirement for a candidate for a public prosecutor's office to attend training on professional topics organised by the Prosecutor General's Office, including the role of the prosecutor and ethical matters.

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 type="checkbox"/>	<input checked="" 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. If yes, what is the budget of such institution(s)?

	Budget of the institution for the reference year, in €
One institution for judges	163 457 <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

NA
 NAP

Comments

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?

. A specialised training centre has not been established for the training of prosecutors, as is the case for judges - the Latvian Judicial Training Centre. However, the Prosecutor's Office has permanent cooperation with the Latvian Judicial Training Centre in relation to the provision of professional development (training) activities of prosecutors.

131-2. Number of in-service training courses (in days) organised by the judicial training institution for judges, prosecutors, non-judge and non-prosecutor staff

	Number of training courses in days organised, without e-learning	Online training courses available during the reference year (e-learning)
Total	104 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Only for judges	10 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Only for prosecutors	72 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3. Only for other non-judge staff	7 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
4. Only for other non-prosecutor staff	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
5. Other common training	15 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments:

E2. Please indicate the sources for answering the questions in this chapter:

Sources: Court administration of Republic of Latvia, Law on Judicial Power
Prosecutor General Office

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	23 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 797 <input type="checkbox"/> NA <input type="checkbox"/> NAP	23 592 <input type="checkbox"/> NA <input type="checkbox"/> NAP	16 797 <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)	50 508 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 052 <input type="checkbox"/> NA <input type="checkbox"/> NAP	50 508 <input type="checkbox"/> NA <input type="checkbox"/> NAP	35 052 <input type="checkbox"/> NA <input type="checkbox"/> NAP
Public prosecutor at the beginning of his/her career	27 975 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 679 <input type="checkbox"/> NA <input type="checkbox"/> NAP	27 975 <input type="checkbox"/> NA <input type="checkbox"/> NAP	19 679 <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).	34 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 352 <input type="checkbox"/> NA <input type="checkbox"/> NAP	34 827 <input type="checkbox"/> NA <input type="checkbox"/> NAP	24 352 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments The changes are related to the Law On Remuneration of Officials and Employees of State and Local Government Authorities, which increased the judge's monthly salary to EUR 1966, and the salaries of judges increased significantly in 2018 compared to 2016. Same for prosecutors.

Comment for prosecutors: Prosecutors shall be entitled to a supplement for the ranking of the public prosecutor, depending on the degree of office assigned. The ranking of a public prosecutor shall be assigned according to the position, professional knowledge, qualifications and experience of work. Question 132 shows the maximum gross and net public remuneration.

133. Do judges and public prosecutors have additional benefits?

	Judges	Public prosecutors
Reduced taxation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Special pension	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Housing	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Other financial benefit	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Comments

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

. Other financial benefits for judges:

According to the Law On Remuneration of Officials and Employees of State and Local Government Authorities there are following

financial benefits for judges:

- benefit up to 50 per cent of the monthly salary once in a calendar year for an official (employee) for each disabled child on a dependent basis up to the age of 18;
- benefit up to 50 per cent of the monthly salary once in a calendar year, leaving the annual paid leave;
- A judge who has been elected to the Council of Justice, the Disciplinary Board of Judges, the Judicial Ethics Commission or the Judicial Qualification Board shall receive a supplement in the amount of three per cent from the monthly salary specified for each session of the relevant institution of self-administration of judges visited by a judge of the district (city) court. The chairperson of the Judicial Council, the chairperson of the Disciplinary Board of Judges, the chairperson of the Judicial Ethics Commission and the chairperson of the Judicial Qualification Board shall receive a supplement in the amount of five per cent from the monthly salary specified for the district (city) court judge for each session of the relevant self-government body visited.
- A judge shall receive a supplement in the amount of three per cent from the monthly salary of the judge specified in the Law stated above, in accordance with the work schedule of the investigating judges or on a holiday day in accordance with the work schedule of the investigating judges, or he or she shall be granted paid rest time on another day of the week;
- Dismissal allowance in the amount of one monthly salary shall be paid to the judge, leaving office due to the health;
- A benefit shall be disbursed in case of the death of a family member (spouse, child, parents, grandparents, adopter or adoptee, brother or sister) or dependant in an amount of not more than one minimum monthly salary.
- Insurance of the health;
- Annual paid vacation for 5 calendar weeks, not including national celebrating days;
- The annual paid vacation is extended by three working days after every five years worked as the judge, but not more than 15 working days in total.

[] 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	() Yes (X) No
Cultural function	() Yes (X) No	() Yes (X) No
Political function	() Yes (X) No	() Yes (X) No
Mediator	() 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
Mediator	() 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:

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

- () Yes
(X) No

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

5.3.2 Body/institution of ethics

138. Is there in your country an institution / body giving opinions on ethical questions of the conduct of judges (e.g. involvement in political life, use of social media by judges, etc.)

- (X) Yes
() No

Comments

138-1. If yes, how is this institution / body formed

- (X) only by judges
() by judges and other legal professionals
() other, please specify:

Comments

138-2. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc.

NAP

138-3. Is there in your country an institution / body giving opinions on ethical questions of the conduct of prosecutors (e.g. involvement in political life, use of social media by prosecutors, etc.)

Yes

No

Comments

138-4. If yes, how is this institution / body formed

only by prosecutors

by prosecutors and other legal professionals

other, please specify:

Comments

138-5. Are the opinions of this institution / body publicly available?

Yes

No

NAP

Comments - Please describe the work of this institution / body, the frequency of opinions, etc. A public prosecutor may be held liable for disciplinary action for failure to comply with the provisions of the Code of Ethics for Prosecutors, but for gross violation of the rules of the Code of Ethics of Prosecutors, a public prosecutor may be dismissed. In cases of the application of a disciplinary sanction, information shall be inserted on the internal home page of the Prosecutor's Office, which shall also contain information regarding the nature of the alleged violation. Decisions of the meetings of the Certification Commission regarding violations of the basic principles of the ethics of prosecutors shall be made publicly available. The meetings of the Commission for the Certification of Prosecutors, in which matters of the ethics of prosecutors are examined, shall be open.

NAP

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

Relevant Court or hierarchical superior

High Court / Supreme Court

High Judicial Council

Disciplinary court or body

- Ombudsman
- Parliament
- Executive power (please specify): Minister of Justice
- Other (please specify): Ethical 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 (High 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
- High 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
- Prosecutor General /State public prosecutor
- Public prosecutorial Council (High 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)	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Professional inadequacy	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	11 <input type="checkbox"/> NA <input type="checkbox"/> NAP
3. Criminal offence	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
4. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP

Comments - If "other", please specify: Other for prosecutors - A public prosecutor shall not be held liable for disciplinary action for committing a criminal offence, but shall be held liable for disciplinary action for committing an administrative violation, for example, failure to comply with road traffic regulations.

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

	Judges	Prosecutors
Total number (total 1 to 10)	8 <input type="checkbox"/> NA <input type="checkbox"/> NAP	12 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Reprimand	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP
2. Suspension	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
3. Withdrawal from cases	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP

4. Fine	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
5. Temporary reduction of salary	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	5 <input type="checkbox"/> NA <input type="checkbox"/> NAP
6. Position downgrade	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP
7. Transfer to another geographical (court) location	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
8. Resignation	1 <input type="checkbox"/> NA <input type="checkbox"/> NAP	<input type="checkbox"/> NA <input checked="" type="checkbox"/> NAP
9. Other	0 <input type="checkbox"/> NA <input type="checkbox"/> NAP	4 <input type="checkbox"/> NA <input type="checkbox"/> NAP
10. Dismissal	3 <input type="checkbox"/> NA <input type="checkbox"/> NAP	0 <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. Comment for judges - 3 cases pending; 2 cases – examination (discussion) in disciplinary board. Dismissal means that the application for disciplinary proceedings was dismissed. In 2018 there were no cases examined by the Disciplinary court. One appeal was received. Comment for prosecutors - Section 44 of the Prosecutor's Office Law defines the disciplinary sanctions applicable to the public prosecutor: (1) note; (2) reprimand; (3) reduction of the monthly salary of the public prosecutor to 20 per cent for a period not exceeding six months; (4) downgrades; (5) dismissal. The column "Other" contains a disciplinary sanction - note (Reproof).

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

Sources: Supreme Court
Prosecutor General Office

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:

	Total	Male	Female
Number of lawyers	1 218 <input type="checkbox"/> NA	<input checked="" type="checkbox"/> NA	<input checked="" type="checkbox"/> NA

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

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

	First instance	Second instance	Highest instance court (Supreme Court)
Civil cases	[]	[]	[X]
Dismissal cases	[]	[]	[]
Criminal cases – Defendant	[X]	[X]	[X]
Criminal cases – Victim	[]	[]	[]
Administrative cases	[]	[]	[]

[] NAP

Comments - Please indicate any useful clarifications regarding the content of lawyers’ monopoly: 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.

Since 1.january 2019. according with Civil Procedure Law (Article 82.1.) Exceptions to the general rules on the right to representation (1) Natural persons and legal persons before the Court of First Instance and the Court of Appeal shall conduct the proceedings themselves or through a lawyer:

- 1) in cases of invalidation of decisions of shareholders of capital companies or shareholders' meetings (Chapter 30.4);
- 2) in cases arising from the law of obligations, if the claim exceeds EUR 150,000;
- 3) in cases of protection of commercial secrets against unlawful acquisition, use and disclosure (Chapter 30.8).

In the case provided for in paragraph 3 of the first paragraph, the case may also be pursued through a professional patent attorney.

In the cases referred to in Paragraph one of this Section, the case shall be conducted by the legal person itself, if it is carried out by officials acting within the scope of authority conferred by law, the Articles of Association or the By laws, as well as persons who are in the employment legal or civil service relationship with the legal entity concerned. authorized by this Law.

149-0. If there is no monopoly, please specify the organisations or persons that may represent a client in court:

	First instance	Second instance	Highest instance court (Supreme Court)
Civil society organisation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Family member	(X) Yes () No	(X) Yes () No	(X) Yes () No
Self-representation	(X) Yes () No	(X) Yes () No	(X) Yes () No
Trade union	(X) Yes () No	(X) Yes () No	(X) Yes () No
Other	() Yes (X) No	() Yes (X) No	() Yes (X) No

Comments - If "other", please specify. In addition, please specify for the categories mentioned the types of cases concerned by this/these representation(s): Please look forward the answer on question above (Q149.)

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

Comments This additional activity can only be carried out by a lawyer if he or she has complied with the requirements of the relevant legislation for the relevant profession - for example, a mediator exam.

149-2. What are the statuses for exercising the profession of lawyer?

- 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 in-service professional training system for lawyers?

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: <http://advokatura.lv/en/sworn-advocates/pec-tiesu-darbibas-teritorijas> , Ministry of Justice

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 It is an agreement between a lawyer and a client. They are known and legally prescribed only in cases of state-provided legal aid.

155. Are lawyers' fees freely negotiated?

Yes

No

Comments They are known and legally prescribed only in cases of state-provided legal aid.

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.

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: 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?

a judge

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)	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP
1. Breach of professional ethics	13 <input type="checkbox"/> NA <input type="checkbox"/> NAP

2. Professional inadequacy	0 [] NA [] NAP
3. Criminal offence	0 [] NA [] NAP
4. Other	0 [] NA [] NAP

Comments - If "other", please specify:

162. Sanctions pronounced against lawyers.

	Number of sanctions
Total number of sanctions (1 + 2 + 3 + 4 + 5)	8 [] NA [] NAP
1. Reprimand	6 [] NA [] NAP
2. Suspension	1 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] NAP
4. Fine	[] NA [X] NAP
5. Other	1 [] 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. In five cases disciplinary proceedings have been finished without seeing the grounds for punishing a sworn advocate, but in one case a sanction has been imposed - a ban on the performance of the duties of a sworn advocate for a period of up to one year.

7. Court related mediation and other alternative Dispute Resolution

7.1 Court related mediation

7.1.1 Details on court related mediation

163. Does the judicial system provide for court-related mediation procedures?

(X) Yes

() No

Comments

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

Before/instead of going to court

Ordered by the court, the judge, the public prosecutor or a public authority in the course of a judicial proceeding

No mandatory mediation

Comments - If there is mandatory mediation, please specify which fields are concerned: Latvian legislation does not stipulate the use of mediation as mandatory in any type of cases. Parties to a case may mutually agree to use mediation as a means of dispute resolution. The only reservation stipulated by the Civil Procedure Law pertains to cases where parties have, following the procedure stipulated in the law, mutually agreed beforehand that in case of a dispute, they would use mediation (e.g. by including such a provision in a contract concluded by and between them). A judge shall refuse to accept a statement of claim if the parties have, in accordance with the procedures laid down in law, agreed on the settlement of a dispute through mediation and evidence that a proposal to settle the dispute through mediation has been rejected has not been submitted, or a mediation agreement has not been entered into, or mediation has been terminated without reaching an agreement in accordance with the procedures laid down in the Mediation Law (Paragraph 31, Section 132 (1) of the Civil Procedure Law). In this case the judge's refusal to accept a statement of claim cannot be construed as an obstacle to submit an equivalent statement of claim to a court after having rectified the deficiencies.

163-2. In some fields, does the legal system provide for mandatory informative sessions with a mediator?

Yes

No

Comments - If there are mandatory informative sessions, please specify which fields are concerned:

164. Please specify, by type of cases, who provides court-related mediation services:

	Private mediator	Public authority (other than the court)	Judge	Public prosecutor
Civil and commercial cases	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Family cases	<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	<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
Administrative cases	<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
Labour cases including employment dismissals	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP
Criminal cases	<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
Consumer cases	<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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NAP

Comments

165. Is there a possibility to receive legal aid for court-related mediation or receive these services free of charge?

Yes

(X) No

[] NAP

Comments - If yes, please specify (only one or both options)::

166. Number of accredited or registered mediators for court-related mediation:

	Total	Males	Females
Number of mediators	52 [] NA [] NAP	7 [] NA [] NAP	45 [] NA [] NAP

Comments

167. Number of court-related mediations:

	Number of cases for which the parties agreed to start mediation	Number of finished court-related mediations	Number of cases in which there is a settlement agreement
Total (1 + 2 + 3 + 4 + 5 + 6)	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Civil and commercial cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
2. Family cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Administrative cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
4. Labour cases including employment dismissal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
5. Criminal cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
6. Consumer cases	[X] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP

Comments - Please indicate the source: Ministry of Justice

168. Do the following alternative dispute resolution (ADR) methods exist in your country?

[X] Mediation other than court-related mediation

[X] Arbitration

[X] Conciliation (if different from mediation)

[X] Other ADR (please specify):

Comments

G1. Please indicate the source for answering question 166:

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

	Total	Male	Female
Number of enforcement agents	101 [] NA	[X] NA	[X] NA

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	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure of immovable properties	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure from a third party of the debtor claims regarding a sum of money	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure of remunerations	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Seizure of motorised vehicles	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Eviction measures	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Enforced sale by public tender of seized properties	(X) Yes with monopoly () Yes without monopoly () No [] NAP
Other	(X) Yes with monopoly () Yes without monopoly () No [] 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 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 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".

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?

professional body

judge

Ministry of Justice

public prosecutor

other (please specify):

Comments 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.

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?

professional body

judge

Ministry of Justice

other (please specify):

Comments 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.

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 regarding decisions against public authorities?

Yes

No

Comments - If yes, please specify: Amendments in the Cabinet Regulation No. 451 of 26 June 2012 "Regulations on Amount of Fee of Sworn Bailiffs" have been made (came into force on 02.11.2108.). The amount of fees had been reviewed and reduced in small amounts of debt collection cases and when debtor settle his obligations in a timely manner. Bailiff's remuneration in amount of fee is specified in the Cabinet Regulation No. 451 of 26 June 2012 "Regulations on Amount of Fee of Sworn Bailiffs". The Cabinet Regulation is available on: <https://likumi.lv/doc.php?id=250209>

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

	Existence of the system
for civil cases	(X) Yes () No
for administrative cases	(X) Yes () No

Comments

186. Regarding 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
 (X) between 6 and 10 days
 () between 11 and 30 days
 () more (please specify):
 [] NA

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)	13 [] NA [] NAP
1. For breach of professional ethics	1 [] NA [] NAP
2. For professional inadequacy	11 [] NA [] NAP
3. For criminal offence	[] NA [X] NAP
4. Other	1 [] NA [] NAP

Comments - If "other", please specify: For delay of tax payments and monthly payments for the maintenance of the Collegium of Latvian Sworn Bailiffs.

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	3 [] NA [] NAP
2. Suspension	0 [] NA [] NAP
3. Withdrawal from cases	0 [] NA [] 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” – issue of reproof. As a result of the disciplinary proceedings, the Disciplinary Commission in one case decided to merge and examine the disciplinary cases proposed against one sworn bailiff due to offenses of a similar nature.

In two cases, disciplinary proceedings were terminated as no violations were found.

In two cases, disciplinary proceedings were terminated as no violations were found.

In two cases, no disciplinary punishment was applied, but the Disciplinary Commission decisions were sent to the Latvian Council of Bailiffs to explain the inaccuracy of their actions to sworn bailiffs.

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

Source: 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 + 7days)). 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):

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

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: <http://www.lzti.lv/statistika/>

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.

	Total	Male	Female
TOTAL (1+2+3+4)	98 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
1. Private professionals (without control from public authorities)	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
2. Professionals appointed by the State	98 [] NA [] NAP	[X] NA [] NAP	[X] NA [] NAP
3. Public officials	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP
4. Other	[] NA [X] NAP	[] NA [X] NAP	[] NA [X] NAP

Comments - If "other", please specify the status: The number of professional notaries (98) is indicated based on the number of actually practising notaries. Previously, there was indicated the number of the work positions, what is according to the regulation of the Cabinet of Ministers.

192-1. What are the access conditions to the profession of notary (multiple options possible):

diploma

professional experience/professional training

exam

appointment procedure by the State

other (please specify):

Comments Citizenship (citizens of the European Union Member States)

Age (persons who have attained the age of twenty five years)

Language knowledge (persons who are fluent in the official language);

Risk insurance (possible risk of loss as a result of the professional activity shall be compulsorily insured).

192-2. Are notaries appointed to office for an undetermined period (i.e. "for life" = until the official age of retirement)?

yes, please indicate the age of retirement:70

no, please specify the duration of the appointment:

Comments - are there exceptions (e.g. dismissal as a disciplinary sanction)? Please specify:

194. What kind of activities do notaries perform (multiple options possible):

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):

Comments Accept money, securities and documents for bailment; accept subject matter of an obligation for bailment; conduct inheritance matters; conduct divorce matters; perform other activities provided for by laws.

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

Within some civil procedures (for example inheritance or inheritance distribution; divorce by mutual consent)

Authentication

Certification of signatures

Legality control of documents submitted by the parties

Mediation

Taking of oaths

Other, for example collect taxes, keep registers etc. (please specify):

Comments - Please indicate any useful clarifications regarding the content of the notaries' exclusive rights 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. In which areas of law do notaries perform their activities (multiple options possible)?

Real estate transaction

Family law

Succession law

Company law

Legality control of gambling activities

Other

Comments

194-3. Do notaries use specialised digital systems in their activity?

In establishing authentic instruments

In recording authentic instruments (archives)

Other activity (please specify):

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 (multiple options possible)?

professional body

court

Ministry of Justice

public prosecutor

other (please specify):

Comments

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

Yes

No

Comments

I1. Please indicate the sources for answering question 192:

Sources: In accordance with article 4 of the Notariate Law sworn notaries shall be appointed to office for life and they may hold this office until seventy years of age. The Notariate Law is available on web site <https://likumi.lv/ta/id/59982-notariata-likums> (there is possibility to choose a language – Latvian or English).

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

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 (e.g. having passed a specific exam): Latvian law provides for criminal liability of an interpreter for knowingly false interpretation / translation in the court.

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 Administration of the Supreme Court

Comments The reply Yes, is for the court interpreters of the first and second instance courts. The reply No is for the Supreme Court. Interpreters are staff members of the Administration.

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 types of judicial experts can be requested to participate in judicial procedures (multiple choices possible):

experts who are requested by the parties to bring their expertise to support their argumentation,

experts appointed by a court to 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 registered judicial experts?

Yes

No

Comments - Please indicate any useful comment regarding these lists or databases of experts, if they do exist (e.g. : Does the expert take an oath? How is his/her skill evaluated? By whom?): Law on Forensic Experts states that there is the Register of Forensic Experts (<https://eksperti.ta.gov.lv/en>), 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.

202-2. Who is responsible for registering judicial experts?

Ministry of justice

Courts

Independent body (association of judicial experts)

Other

Comments

202-3. Is the registration of judicial experts limited in time?

Yes, for how long 5 years

No

Comments

203. Is the title of judicial experts protected?

Yes

No

Comments - If appropriate, please explain the meaning of this protection: According to the Law on Forensic Experts, a person has a claim

to be forensic expert after getting the certificate (see question 202-1). Person and/or forensic expert becomes a judicial expert after the decision given by the court.

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

	Obligation of training
Initial training	(X) Yes () No
Continuous training	(X) Yes () No

Comments

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

- judicial proceedings
- 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 task entrusted to him/her, does the judicial expert have to report any potential conflicts of interest?

- Yes
- No

Comments

205. Number of accredited or registered judicial experts:

	Total	Male	Female
Number of experts	324 <input type="checkbox"/> NA <input type="checkbox"/> NAP	133 <input type="checkbox"/> NA <input type="checkbox"/> NAP	191 <input type="checkbox"/> NA <input type="checkbox"/> 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.

206-1. Number of cases where expert opinion was ordered by a judge or requested by the parties

	Number of cases
Total (1+2+3+4)	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
1.Civil and commercial litigious cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
2.Administrative cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
3.Criminal cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP
4.Other cases	<input checked="" type="checkbox"/> NA <input type="checkbox"/> NAP

Comments

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 In general – judicial experts are appointed by courts’ (judges’) ruling (in criminal cases also by the person directing the proceedings) if it is necessary according to the specific case and procedural needs.

In case if in certain field there is no forensic experts which are registered in the Register of Forensic Experts another person who has a corresponding special knowledge may be instructed to perform the expert-examination in accordance with the procedures specified in regulatory laws.

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

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 There are no planned reforms.

2. Budget There are no planned 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 In the Republic of Latvia when we talk about state-guaranteed legal aid system, it must be specified that generally there are two different state-guaranteed legal aid systems – criminal legal aid and civil and administrative legal aid. Criminal state-guaranteed legal aid has a longer history, but overall in the Republic of Latvia the state-guaranteed legal aid system was established with the State Ensured Legal Aid Law, which came into force in 2007

The State Ensured Legal Aid Law stipulates that the state must provide legal assistance for solving a legal issue outside the court and in court in order to protect the rights of a person protected by law or protected by law in the cases, forms and extent provided for in this Law. Typically, legal assistance includes legal advice, processing of procedural documents and representation in court in civil proceedings, administrative proceedings and criminal proceedings. The problem though is, that when it comes to civil and administrative state ensured legal aid, the scope of both preliminary and secondary legal aid is too narrow, too restrictive and in many instances the procedure is too complicated

Since 01.01.2019. is possibility to receive state-guaranteed legal aid also in the Constitutional Court proceedings, as well as to introduce partially state-guaranteed legal assistance in certain types of civil matters.

In addition, the draft law provides for the possibility to receive state-guaranteed legal aid also for persons who are not recognized as

poor or poorly-provided, but whose income does not exceed the amount of the minimum monthly wage established in the country. Subsequently, these parties will have access to semi-publicly-provided legal assistance, which means that the state-provided legal aid will be available through co-payment. The amount of co-payment will be determined by the Cabinet of Ministers.

In part, state-guaranteed legal assistance is available in cases of invalidation of decisions of shareholders' (shareholders) meetings and in cases where there is a dispute arising from liability rights and where the amount of the claim exceeds 150 000 EUR. It is to be noted that since January 1, 2019, in accordance with the amendments to the Civil Procedure Law, the cases referred to in the court are entitled to bring persons on their own or through a lawyer.

4. High Judicial Council There are no planned reforms.

5. Legal professionals (judges, public prosecutors, lawyers, notaries, enforcement agents, etc.): organisation, education and training, etc. In 1 July 2018 amendments to the Notariate Law came into force, which stipulates, that a sworn notary may make deeds and certifications in electronic format if participants of a notarial deed or certification sign the document with an electronic signature in the presence of a sworn notary. A sworn notary may make deeds and certifications in electronic format using video conference. In July 2019 amendments to the Notariate Law will come into force and it will stipulate, that a sworn notary have to competence to legalize of a public document issued in Latvia with certificate (apostille).

Amendments to Law on Bailiffs (approved by the Parliament on 12.04.2018.) delegates a new function to bailiffs – deliver judicial and extrajudicial documents un Latvia according to Regulation (EC) No.1393/2007 iof the European Parliament and of the Council on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents and according to Convencion on the service abroad of judicial and extrajudicial documents in civil or commercial matters.

6. Reforms regarding civil, criminal and administrative laws, international conventions and cooperation activities There are no planned reforms.

7. Enforcement of court decisions On 01.03.2018. Parliament has approved amendments to Civil Procedure Law in order to improve and modernize procedures concerning directing debt recovery against movable property (came into force on 01.07.2018.). Among other, use of e-auctions has been expended. E-auction system started functioning on 1st July 2015 and at the beginning was applied 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. Since 01.07.2018. debtor`s property (weather real estate or movables) in enforcement process and in insolvency process as well is sold only in e-auctions. Amendments in the Cabinet Regulation No. 451 of 26 June 2012 "Regulations on Amount of Fee of Sworn Bailiffs" have been made (came into force on 02.11.2108.). The amount of fees had been reviewed and reduced in small amounts of debt collection cases and when debtor settle his obligations in a timely manner.

8. Mediation and other ADR There are no planned reforms.

9. Fight against crime There are no planned reforms.

9.1. Prison system There are no planned reforms.

9.2 Child friendly justice There are no planned reforms.

9.3. Violence against partners There are no planned reforms.

10. New information and communication technologies There are no planned reforms.

11. Other There are no planned reforms.