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## Court fees concerning Small Claims procedure

### Introduction

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### Introduction

Pursuant to [Section 33 \(2\) of the Civil Procedure Law](#) (*Civilprocesa likums*) court expenses (*tiesas izdevumi*) comprise:

a State fee (*valsts nodeva*);

an office fee (*kancelejas nodeva*);

expenses necessarily incurred for the purposes of examining a case.

A State fee must be paid for every application submitted to the court - an original claim, a counterclaim, an application brought by a third party with a separate claim in respect of the subject-matter of the dispute in proceedings already commenced, an application in a special form of procedure, or another application provided for in [Section 34](#) of the Civil Procedure Law. [Section 43](#) of the Civil Procedure Law lists persons exempt from paying court expenses (including State fees).

The court will order the losing party to reimburse all court expenses paid by the successful party. If a claim has been satisfied in part, the court will order that the court expenses be reimbursed to the plaintiff in proportion to the part of the claims satisfied, and to the defendant in proportion to the part of the claims dismissed. There is no reimbursement of the State fee for an ancillary complaint (*blakus sudzība*) in respect of a court decision, or for the reopening of court proceedings after a default judgment has been given.

If a plaintiff withdraws a claim, he or she has to reimburse the court expenses incurred by the defendant. In that case the defendant will not have to reimburse the court expenses paid by the plaintiff. However, if a plaintiff withdraws his or her claims because the defendant has voluntarily satisfied those claims after the claims were submitted, the court will, upon application by the plaintiff, order the defendant to reimburse the court expenses paid by the plaintiff.

If the court decides not to hear an action, the court will, upon application by the defendant, order the plaintiff to reimburse the court expenses paid by the defendant.

If a plaintiff is exempted from paying court expenses, the defendant will be ordered to pay the plaintiff's court expenses to the State revenue in proportion to the part of the claim that has been satisfied.

#### What fees are applicable?

A State fee has to be paid when submitting an application under the European small claims procedure. During the proceedings, the party may also have to pay other court expenses, such as an office fee (e.g. for the issue of transcripts and duplicates of the documents related to the proceedings) and expenses related to the examination of the case (e.g. expenses incurred in searching for the defendant at the plaintiff's request, or expenses for the delivery, issue and translation of summonses and other court documents).

#### How much shall I pay?

When you submit an application, you must pay a State fee in the amount of 15% of the sum of the claim, but not less than EUR 71.41.

The amount of any office fee is determined in accordance with [Section 38](#) of the Civil Procedure Law. The amount of expenses related to the examination of a case may vary depending on a number of factors (e.g. the manner of delivery of documents, by post or by e-mail).

#### What happens if I do not pay the court fees on time?

If an application is not accompanied by the documents confirming the payment of State fees and other court expenses in accordance with the procedure and in the amount prescribed by law, the court, pursuant to [Section 133](#) of the Civil Procedure Law, will proceed no further with the application, and will set a time limit for the plaintiff to eliminate the deficiencies.

If the plaintiff eliminates the deficiencies within the time limit set, the application will be considered to have been submitted on the day when it was first submitted to the court.

If the plaintiff does not eliminate the deficiencies within the time limit set, the application will be deemed not to have been submitted and will be returned to the plaintiff.

The return of an application to the plaintiff does not prevent the plaintiff from submitting it to the court again, in compliance with the ordinary procedures laid down in the Law.

If court expenses are payable for the service of documents, the court will not serve the documents until the relevant fee has been paid. However, if the expenses for the examination of a case are not paid voluntarily to the State revenue, they will be recovered in accordance with the general rules of enforcement of judgments.

#### How can I pay the court fees?

The State fee can be paid to the account of the State Treasury (*Valsts kase*). The State fee ([Section 34](#) of the Civil Procedure Law, except Paragraph six) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV55TREL1060190911200

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of a State fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**The State fee for submission for enforcement of a writ of execution or another enforcement document** can be paid to the account of the State Treasury. The State fee for the submission for enforcement of a writ of execution or other enforcement document ([Section 34](#) of the Civil Procedure Law, Paragraph six) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV71TREL1060190911300

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of a State fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**The office fee** can be paid to the account of the State Treasury. The office fee ([Section 38](#) of the Civil Procedure Law) is to be paid as follows:

Beneficiary: Valsts kase

Registration No: 90000050138

Account No: LV39TREL1060190911100

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of an office fee is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

**Expenses related to the examination of a case and expenses related to the enforcement of obligations following notice** can be paid to the account of the Court Administration (*Tiesu administrācija*). Expenses related to the examination of a case ([Section 39](#) of the Civil Procedure Law) and expenses related to the enforcement of obligations following notice ([Section 4063](#) of the Civil Procedure Law):

District (city) courts and regional courts:

Beneficiary: Tiesu administrācija

Registration No: 90001672316

Account No: LV51TREL2190458019000

Beneficiary's bank: Valsts kase

BIC code: TRELLV22

Purpose of payment: '21499', and indicate the data identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of expenses related to the examination of a case is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number.

#### **What shall I do after the payment?**

When you submit an application to the court, you must attach documents confirming payment of State fees and other court expenses in accordance with the procedure and in the amount prescribed by law. You must also pay an office fee before the particular service sought is performed. You must pay any expenses related to the examination of the case prior to the examination of the case.

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