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Latvian

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Costs

Latvia

This page provides you with information about the costs of justice in Latvia. For a more in-depth analysis on the costs of proceedings, please consult the following case studies: Family law - Divorce Family law – custody of the children Family law – alimony Commercial law – contract Commercial law – responsibility

Regulative framework governing fees of legal professionals

1. Bailiffs

The fees for the services of certified bailiffs (*zvērīnāti tiesu izpildītāji*) are determined in line with the [statutory rates](#). Agreeing on a fee that differs from the statutory rate is prohibited.

2. Lawyers

Except in cases where the state provides legal aid, there is no fixed fee for the services provided by **certified lawyers** (*zvērīnāti advokāti*) in Latvia; the lawyer agrees on a fee with the client.

Pursuant to Section 57 of the [Lawyers Act](#) (*Advokatūras likums*), certified lawyers conclude a written agreement with the client that provides that the lawyer will act for the client in the case and sets the relevant fee.

In the event of a dispute where there is no written agreement, the amount chargeable for the lawyer's fees can be set at double the amount laid down in the legislation on the payment of state legal aid, and other expenses can be determined subject to the limits laid down in that legislation.

Section 12 of the [Lawyers Act](#) provides that in the cases laid down by law the state will cover the fees of lawyers and other related expenses. The legislation governing state legal aid (the [State Legal Aid Act](#) (*Valsts nodrošinātās juridiskās palīdzības likums*) and the [Criminal Procedure Act](#) (*Kriminālprocesa likums*)) lays down the circumstances in which legal aid may be granted, in civil cases, administrative cases and criminal cases, the assistance given being paid for by the state.

The costs and expenses of providers of legal aid are covered by the state pursuant to

[Cabinet Regulation No 1493 of 22 December 2009 laying down rules on the scope of state legal aid, the amount of payment, related expenses and the procedure for payment thereof](#)

. The regulation lays down fixed fees (a certain amount or hourly rate) that the state pays to legal aid providers in line with the established procedure. See also the replies to questions below.

Fixed costs

Fixed costs in civil proceedings

Fixed costs for litigants in civil proceedings

Fixed costs for litigants include state fees, a chancery fee, and costs associated with the examination of the case.

Stage of the civil proceeding where fixed costs must be paid

A court application must be accompanied by documents certifying that state fees and other court costs have been paid in accordance with the procedures set out by law.

The fee for the work of the court (the state fee) and the chancery fee have to be paid into the State Treasury as follows:

Recipient: State Treasury (*Valsts kase*)

Recipient's tax registration number: 90000050138

Recipient's account number: LV55TREL1060190911200

Recipient's bank: State Treasury (*Valsts kase*)

Bank identifier code: TRELLV22

Message: the data identifying the case should be entered here.

Fees payable for the examination of the case must be paid before the case is considered.

Amounts payable to witnesses and experts (for conducting inspections or examining witnesses on-site), and costs for the service of court summonses, the publication of notices in newspapers and the taking of security for claims must be paid by the party who makes the request before the case is considered.

The party that makes the request has to pay the following costs before the case is considered:

sums payable to witnesses and experts;

expenses arising out of the questioning of witnesses or the conduct of inspections on site;

costs for the issue and service of court summonses;

expenses incurred in tracing the defendant;

the costs of publishing notices in newspapers;

the costs incurred in taking security for a claim.

Payments related to the adjudication of the case in a district or city court (*rajona (pilsētas) tiesa*) or regional court (*apgabaltiesa*) must be paid into the account of the Courts Office:

Recipient: Courts Office (*Tiesu administrācija*)

Recipient's account number: LV51TREL2190458019000

Recipient's tax registration number: 90001672316

Recipient's bank: State Treasury (*Valsts kase*)

Bank identifier code: TRELLV22

Other payment details to include: **21499** (a code that indicates the category of payment) and other information necessary to identify the case, such as the case number, the name of the defendant and an indication whether the defendant is a natural or a legal person.

Fixed costs in criminal proceedings

Fixed costs for parties to criminal proceedings

Defendants in criminal proceedings do not pay court fees. The [Criminal Procedure Act](#) (*Kriminālprocesa likums*) does not lay down fees for criminal proceedings. Paragraph 8 of the transitional provisions of the Act states that civil claims joined to criminal proceedings before the Act comes into force are now to be treated as claims for damages. Where the civil plaintiff is not the victim, or the civil defendant is not the accused, the civil claim is now to be dealt with under the [Civil Procedure Act](#) (*Civilprocesa likums*). One month after the Act comes into force, the officer bringing the proceedings (*procesa virzītājs*) is to inform the other parties accordingly.

Stage of the criminal proceeding where fixed costs must be paid

See the answer given above to the question on fixed costs for parties to criminal proceedings.

Fixed costs in constitutional proceedings

Fixed costs for litigants in constitutional proceedings

There are no court fees at any stage of constitutional proceedings.

Stage of the constitutional proceeding where fixed costs must be paid

There are no court fees at any stage of constitutional proceedings.

Prior information to be provided by legal representatives

Rights and obligations of the parties

Pursuant to Paragraph 2.2 of the [Code of Ethics of Latvian Certified Lawyers](#) (*Latvijas Zvērinātu advokātu Ētikas kodekss*), lawyers must give their opinion on a client's case in a professional and open manner and provide the appropriate legal assistance. Moreover, Paragraph 3.1 of the Code states that lawyers must not work on cases in which they are not competent or able to perform their duties adequately. Before agreeing to act in a case, therefore, the lawyer must acquaint himself or herself with the circumstances and provide an opinion. The [Lawyers Act](#) also imposes duties on certified lawyers: for example, they are to use all means and methods provided for in law when defending and representing the rights and legitimate interests of the person that has requested legal assistance.

Cost sources

Where can I find information on cost sources in Latvia?

You can find information on sources of costs in the laws and Cabinet regulations on the internet and in information leaflets in the courts.

In what languages can I obtain information on cost sources in Latvia?

Information on cost sources to be paid when the claim is filed (not indicating specific amounts) is available in all EU languages on the website of the [European Judicial Network in civil and commercial matters](#) (see section 'Bringing a case to court').

Where can I find information on mediation?

Information on mediation may be found on the [Mediācija.lv](#) website.

Where can I find additional information on costs?

Website providing information on costs

Information on costs is available on the [Latvian courts portal](#).

There is also the official website of the [Ministry of Justice](#). This provides access to information about courts, court proceedings, judgments of the administrative courts and other courts, and other miscellaneous information.

Where can I find information on the average length of time that different procedures take?

Information on the length of proceedings may be found in the statistical reports on the work of the courts which are available on the website of the [Courts Information System](#) (*Tiesu informācijas sistēma*).

Where can I find information on the average aggregate cost for a particular proceeding?

No data is available on the average aggregate cost of particular proceedings.

Value added tax

How is this information provided?

State fees and court fees are exempt from VAT.

What are the applicable rates?

State fees and court fees are exempt from VAT.

Legal aid

Applicable income threshold in the area of civil justice

Under the [State Legal Aid Act](#) (*Valsts nodrošinātās juridiskās palīdzības likums*) the State grants **legal aid** to **persons** who:

have been recognised as poor or in material difficulty in accordance with the relevant procedures laid down in law;
suddenly find themselves in situations and material circumstances that prevent them from defending their rights (e.g. owing to acts of God, force majeure or other circumstances beyond their control);
are totally dependent on the state or local authorities.

In cases where, given their particular situation, material circumstances or level of income, persons are not able to provide for their own legal defence, state **legal aid** is also granted to **persons** who:

are entitled to legal aid from the Republic of Latvia by virtue of Latvia's international obligations;
in the case of cross-border disputes, are domiciled or habitually resident in a European Union Member State.

State legal aid is also granted in **administrative cases** (appeals against decisions on asylum, decisions on contested repatriation orders, and decisions on review of compulsory expulsion orders).

Applications for legal aid are considered by the [Legal Aid Office](#) (*Juridiskās palīdzības administrācija*), which takes decisions granting or refusing legal aid and notifies the applicant accordingly.

Applicable income threshold in the area of criminal justice for defendants

Under Articles 17 to 19 of the [State Legal Aid Act](#), persons who have a right of defence in criminal proceedings may apply for legal aid at any time before the final court judgment comes into effect. In criminal proceedings, state legal aid provides for consultation, assistance in drawing up procedural documents and representation in pre-trial and trial proceedings. Under certain circumstances provided for in the [Criminal Procedure Act](#), the state appoints a lawyer to act for the defendant.

Under Article 20 of the [Criminal Procedure Act](#), anyone suspected or accused of committing a crime has the right to defend themselves, i.e. the right to know what crime they are suspected or accused of, and the right to choose the way their defence will be conducted. Such persons may exercise this right by acting on their own behalf or by appointing a person of their choice to act for them. The person who acts for them may be a certified lawyer. The law specifies

certain instances in which representation by a certified lawyer is mandatory. If the accused does not have sufficient assets to retain a certified lawyer, and does not reach agreement with a lawyer who is prepared to act in the case, the state ensures that they are represented, ordering the payment of defence costs from state funds and determining which proportion, if any, of that sum is to be paid by the accused.

Under Article 80 of the [Criminal Procedure Act](#), the accused may enter into an agreement with a lawyer, or someone else may do so on his or her behalf. The officer bringing the proceedings (*procesa virzītājs*) cannot enter into any such agreement or retain any particular lawyer, but must provide the accused with the necessary information and give him or her the opportunity to contact a lawyer. If the accused has not entered into an agreement in a case where representation by a lawyer is mandatory, or in other cases where the accused wishes to be represented, the officer bringing the proceedings asks the senior certified lawyer to supply defence counsel. Within three working days of receiving the request from the officer bringing the proceedings, the senior lawyer must inform that officer of the name of the lawyer who will be acting.

Article 81 of the [Criminal Procedure Act](#), governing special procedural steps, goes on to state that, if there is no agreement on the defence, or if the lawyer retained is unable to attend the procedural stages, the officer bringing the proceedings must retain a lawyer to act for the defence at the separate procedural stages (any investigations in which the accused is involved) from the schedule of duty lawyers drawn up by the senior lawyer for the area of jurisdiction of the court.

Also, under Article 84(2) of the [Criminal Procedure Act](#), where a person has not entered into an agreement on their defence, the amount and the procedure for payment of fees and expenses for the services of a lawyer providing state legal aid are to be determined by the Cabinet (see [Cabinet Regulation No 1493 of 22 December 2009 laying down rules on the scope of state legal aid, the amount of payment, related expenses and the procedure for payment thereof](#)).

Applicable income threshold in the area of criminal justice for victims

In criminal proceedings victims may receive state legal aid, i.e. a lawyer to represent them, who is appointed in accordance with the procedure laid down in the [Criminal Procedure Act](#) and in the cases provided for therein.

Furthermore, Article 104(5) of the [Criminal Procedure Act](#) states that the officer bringing the criminal proceedings may decide to appoint a lawyer to represent a minor in the following cases:

if the protection of a minor's rights and interests is being hindered or otherwise not guaranteed,

if a reasoned request is submitted by a representative of the minor's family (mother, father or guardian, grandparent, adult brother or adult sister) with whom the minor lives and by whom the minor is looked after, or by a representative of a children's rights protection institution, or by a representative of any non-governmental organisation providing protection for children's rights.

In exceptional circumstances, if in criminal proceedings it is not otherwise possible to ensure the protection of the rights and interests of a victim who is poor or in material difficulty, the officer bringing the proceedings may decide to appoint a lawyer to represent that person. The rates of lawyer's fees and the payment procedure in such cases are laid down by the Cabinet of Ministers (see

[Cabinet Regulation No 1493 of 22 December 2009 laying down rules on the scope of state legal aid, the amount of payment, related expenses and the procedure for payment thereof](#)).

The state will then grant legal aid to the person recognised as a victim (help with the drawing up of procedural documents and representation in pre-trial and trial proceedings).

Other conditions attached to the granting of legal aid for victims

See information above on the income threshold for victims in the area of criminal justice.

Other conditions attached to the granting of legal aid for defendants

See information above on the income threshold for defendants in the area of criminal justice.

Cost-free court proceedings

The following persons are exempt from paying court costs to the state:

- plaintiffs in claims by employees for the recovery of remuneration for work and other claims arising from legal employment relations or related to such;
- plaintiffs in claims arising from contracts for the performance of work, if the plaintiff is a person who is serving a prison sentence;
- plaintiffs in claims arising from personal injuries that result in mutilation, or other damage to health, or death;
- plaintiffs in claims for the recovery of maintenance payments for a child or parent, and claims for the determination of paternity if the claim is brought together with a claim for the recovery of maintenance for a child;
- applicants in matters relating to the recognition, or the recognition and enforcement, of a foreign decision on the recovery of maintenance payments for a child or parent;
- plaintiffs in claims for compensation for material loss and moral injury resulting from criminal offences;
- prosecutors, state or local authorities, and persons who are legally entitled to defend in court the rights and legally protected interests of other persons;
- applicants in matters relating to a decision finding that a person lacks legal capacity or appointing a guardian;
- applicants in matters relating to the appointment of a guardian for a person because of a dissolute or spendthrift lifestyle or excessive use of alcohol or drugs;
- defendants in matters relating to the reduction of maintenance awarded by a court to a child or a parent and the reduction of maintenance payments that the court awarded on a claim arising out of personal injuries that result in mutilation or other damage to health, or death;
- applicants where a child has been illegally moved across a border or detained;
- administrators in claims that are brought for the benefit of natural or legal persons recognised as insolvent, and administrators submitting applications for a declaration of insolvency of legal persons in the circumstances referred to in paragraph 3 of [Section 51 of the Insolvency Act \(Maksātnespējas likums\)](#);
- judgment creditors, in enforcement cases relating to the recovery of payments for state revenues;
- judgment creditors, in enforcement cases where recovery is to be performed under a single document that permits enforcement of the claim in a requested Member State;
- excise and tax departments, in applications for a declaration of insolvency of a legal person;
- the Office of Citizenship and Migration Affairs (*Pilsonības un migrācijas lietu pārvalde*), in cases of deprivation of Latvian citizenship;
- the State Social Insurance Agency (*Valsts sociālās apdrošināšanas aģentūra*), in cases regarding the recovery of financial resources for the state budget in respect of social insurance services, or overpayment of state social benefits and social insurance services, or payment of state social benefits in connection with road traffic accidents.

Parties may also be **exempt from the payment of court costs** to the state in other cases provided for by law. A court or a judge, upon considering the financial state of a natural person, may exempt him or her partly or fully from the payment of court costs into state revenues, postpone the payment of the required court costs into state revenues, or order payment in instalments.

When does the losing party have to pay the winning party's costs?

A party in whose favour a judgment is delivered can recover from the other party all the court costs they have paid. If a claim is upheld in part, the costs can be recovered in proportion to the extent of the claims accepted by the court. The defendant will be reimbursed in proportion to the part of the claim dismissed in the action. Where judgment is delivered by default, state fees for an application for the reopening of court proceedings and a fresh adjudication of the matter will not be reimbursed.

If the plaintiff's application is upheld in whole or in part, the defendant will be ordered to make good, to the extent provided for by law, the costs incurred by the plaintiff in bringing the action, such as lawyers' fees, expenses in connection with attendance at court, or expenses in connection with the gathering of evidence. If the application is dismissed, the court will order the plaintiff to make good the costs incurred by the defendant in defending the action.

Experts' fees

Experts' costs must be paid, before the matter is adjudicated, by the party who requested the expert's services. A party that is exempt from court costs will not have to pay experts' costs. In such a case, fees for the services of experts (but not state forensic science experts) are paid by the Courts Office.

Translators' and interpreters' fees

Where parties to a case do not have a command of the language of the proceedings—unless they represent legal persons—the court must ensure that they can acquaint themselves with the documents in the case and take part in the proceedings with the help of an interpreter.

Related attachments

[Latvia's report of the Study on Transparency of costs](#)  (742 Kb) 

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