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Succession

Lithuania

Article 78 (a) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45(1) and with appeals against decisions on such applications in accordance with Article 50(2)

The Court of Appeal of Lithuania (*Lietuvos apeliacinis teismas*)

Address: Gedimino pr. 40/1, LT-01503 Vilnius, Lithuania

Tel.: (+370 70) 663 685

Fax: (+370 70) 663 060

Email: apeliacinis@apeliacinis.lt, apeliacinis@teismas.lt

Article 78 (b) - the procedures to contest the decision given on appeal referred to in Article 51

The Supreme Court of Lithuania (*Lietuvos Aukščiausiasis Teismas*)

Address: Gynėjų g. 6, LT-01109 Vilnius, Lithuania

Tel.: (+370 5) 2 616 466

Fax: (+370 5) 2 616 813

Email: lat@teismas.lt

The procedure is an appeal in cassation, lodged in accordance with the national rules governing proceedings in the court of cassation. Pursuant to the provisions of the Code of Civil Procedure of the Republic of Lithuania (*Lietuvos Respublikos civilinio proceso kodeksas*), cassation is possible only if the following grounds are present: (1) a violation of the rules of substantive or procedural law which is of material significance for the uniform interpretation and application of law, where that violation may have influenced the adoption of an unlawful judgment/ruling; (2) a court has diverged from the established case-law of the Supreme Court of Lithuania in the contested judgment/ruling; (3) the case-law of the Supreme Court of Lithuania regarding the point of law in dispute is not uniform. The court of cassation, without exceeding the limitations of the appeal in cassation, verifies the contested judgments and/or rulings solely in terms of the application of law.

Article 78 (c) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64

A notary in the place where the succession is opened. The territory covered by notaries in succession cases is determined by the Minister of Justice of the Republic of Lithuania.

An up-to-date list of notaries, up-to-date information on their contact details and the territory served by them in succession cases can be found online at <https://notarurumai.lt/notarai/pagal-darbuotojus>.

Article 78 (d) - the redress procedures referred to in Article 72

The district court (*apylinkės teismas*) in the notary's place of business.

Pursuant to the Lithuanian Law on the notarial profession (*Notariato įstatymas*), any interested person who believes that the performance of a notarial act, or the refusal to perform a notarial act, was unlawful has the right of appeal before a court in the place where the notary's office is located. Pursuant to the Code of Civil Procedure of the Republic of Lithuania (*Lietuvos Respublikos civilinio proceso kodeksas*), failure to lodge an appeal does not affect the right to apply to the court for compensation for damage resulting from the unlawful acts of a notary. Appeals against notarial acts may be lodged no later than within twenty days of the date on which the appellant became, or should have become, aware of the contested act or refusal, but no later than within ninety days of the performance of the contested act. Cases relating to notarial acts will be settled by a court ruling. If the appeal is upheld, the court will annul the notarial act or order the notary to perform the notarial act in question. A court ruling relating to notarial acts may be appealed against separately in the appeal court.

Contact details of the district courts

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