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Lettisch

Kosten

Lettland

Diese Seite enthält Informationen über Verfahrenskosten in Lettland. Eine differenziertere Analyse der Prozesskosten finden Sie in folgenden Fallstudien: Familienrecht – Scheidung Familienrecht – Sorgerecht Familienrecht – Unterhalt Handelsrecht – Vertragsrecht Handelsrecht – Haftung

Gebührenordnung für Rechtsberufe**1. Gerichtsvollzieher**

Die Gebühren für die Tätigkeit vereidigter Gerichtsvollzieher (*zvērināti tiesu izpildītāji*) werden anhand der [Gebührenordnung](#) festgesetzt. Es dürfen keine von der Gebührenordnung abweichenden Sätze vereinbart werden.

2. Rechtsanwalt

Außer in Fällen, in denen staatliche Beratungs-/Prozesskostenhilfe gewährt wird, sind in Lettland keine festen Gebühren für die Tätigkeit **vereidigter Rechtsanwälte** (*zvērināti advokāti*) vorgeschrieben; das Honorar wird mit dem Mandanten vereinbart.

Nach § 57 [Anwaltsgesetz](#) (*Advokatūras likums*) schließt der vereidigte Rechtsanwalt mit seinem Mandanten eine schriftliche Vereinbarung über die Vertretung bei Gericht und das dafür zu zahlende Honorar.

Existiert in einem Streitfall keine schriftliche Vereinbarung, kann ein Honorar in Höhe des doppelten Betrags der im Gesetz über staatliche Beratungs-/Prozesskostenhilfe angegebenen Summe festgesetzt werden; für sonstige Kosten gelten die gesetzlich vorgeschriebenen Höchstbeträge.

Nach § 12 [Anwaltsgesetz](#) werden das Anwaltshonorar und andere bei dem Verfahren anfallende Kosten in gesetzlich vorgesehenen Fällen vom Staat übernommen. Im [Gesetz über staatliche Beratungs-/Prozesskostenhilfe](#) (*Valsts nodrošinātās juridiskās palīdzības likums*) und in der [Strafprozessordnung](#) (*Kriminālprocesa likums*) ist geregelt, unter welchen Voraussetzungen Beratungs-/Prozesskostenhilfe in Zivil-, Verwaltungs- und Strafverfahren gewährt werden kann und die Kosten für den Rechtsbeistand vom Staat getragen werden.

Die Honorare und Kosten des Rechtsbeistands im Rahmen der Beratungs-/Prozesskostenhilfe trägt der Staat gemäß der [Verordnung Nr. 1493 des Ministerkabinetts vom 22. Dezember 2009 zur Festlegung der Grundsätze für den Umfang der staatlichen Beratungs-/Prozesskostenhilfe, die Höhe der Zahlungen, die entsprechenden Kosten und die Zahlungsmodalitäten](#).

Die Verordnung regelt die Höhe der Vergütung (Festbeträge oder Stundensätze), die der Staat dem Rechtsbeistand im Rahmen des Beratungs-/Prozesskostenhilfeverfahrens zahlt. Siehe auch die Antworten auf untenstehende Fragen.

Festkosten**Festkosten im Zivilverfahren****Festkosten für Prozessparteien im Zivilverfahren**

An Festkosten für die prozessführenden Parteien fallen staatliche Gebühren (*valsts nodevas*), eine Geschäftsstellengebühr (*kancelejas nodeva*) und die Kosten für die Prüfung der Sache (*ar lietas izskatīšanu saistītie izdevumi*) an.

Wann müssen die Kosten im Zivilverfahren entrichtet werden?

Jedem Antrag bei Gericht müssen Belege beiliegen, aus denen hervorgeht, dass die staatlichen Gebühren und andere Gerichtskosten in der vorgeschriebenen Weise entrichtet worden sind.

Die Gebühr für die Tätigkeit des Gerichts (die staatliche Gebühr) und die Geschäftsstellengebühr sind wie folgt an die Staatskasse zu überweisen:

Empfänger: Staatskasse (*Valsts kase*)

Steuernummer des Empfängers: 90000050138

Kontonummer des Empfängers: LV55TREL1060190911200

Bank des Empfängers: Staatskasse (*Valsts kase*)

BIC: TRELLV22

Verwendungszweck: genaue Angaben zu der betreffenden Rechtssache

Gebühren für die Prüfung der Sache sind vorab zu entrichten.

Entschädigungen für Zeugen und Sachverständige (für Lokaltermine oder Zeugenvernehmungen vor Ort) sowie Zahlungen für die Zustellung gerichtlicher Ladungen, für Bekanntmachungen in Zeitungen und für die Sicherung einer Forderung sind von der Antrag stellenden Partei zu entrichten, bevor die Sache verhandelt wird.

Folgende Zahlungen sind vom Antragsteller zu leisten, bevor die Sache verhandelt wird:

Entschädigungen für Zeugen und Sachverständige;

Kosten im Zusammenhang mit Zeugenvernehmungen und Lokalterminen;

Kosten für die Ausstellung und Zustellung gerichtlicher Ladungen;

Kosten für das Auffinden der beklagten Partei;

Kosten für Bekanntmachungen in Zeitungen;

Kosten für die Sicherung einer Forderung.

Zahlungen im Zusammenhang mit der Verhandlung vor einem Bezirks- oder Stadtgericht (*rajona (pilsētas) tiesa*) oder einem Regionalgericht (*apgabaltiesa*) werden auf das Konto der Gerichtsverwaltung überwiesen:

Empfänger: Gerichtsverwaltung (*Tiesu administrācija*)

Kontonummer des Empfängers: LV51TREL2190458019000

Steuernummer des Empfängers: 90001672316

Bank des Empfängers: Staatskasse (*Valsts kase*)

BIC: TRELLV22

Weitere Angaben: **21499 (Code für die Zahlungskategorie) und weitere Angaben zur genauen Zuordnung wie Nummer der Rechtssache, Name des Beklagten und Angabe, ob natürliche oder juristische Person.**

Festkosten im Strafverfahren

Festkosten für Prozessparteien im Strafverfahren

Der Beklagte in einem Strafverfahren zahlt keine Gerichtsgebühren. Die [Strafprozessordnung](#) (*Kriminālprocesa likums*) enthält keine Gebührenregelung für Strafverfahren. Nach § 8 der Übergangsbestimmungen der Strafprozessordnung sind zivilrechtliche Forderungen, die vor Inkrafttreten des Gesetzes an Strafverfahren geknüpft waren, jetzt wie Schadenersatzforderungen zu behandeln. Wenn der zivilrechtlich Klagende nicht das Opfer bzw. der zivilrechtlich Beklagte nicht der Beschuldigte ist, wird über die zivilrechtliche Forderung jetzt nach Maßgabe der [Zivilprozessordnung](#) (*Civilprocesa likums*) entschieden. Spätestens einen Monat nach Inkrafttreten des Gesetzes informiert der Leiter des Verfahrens (*procesa virzītājs*) die anderen Parteien entsprechend.

Wann müssen die Kosten im Strafverfahren entrichtet werden?

Siehe Antwort auf die obenstehende Frage zu den Kosten für die prozessführenden Parteien im Strafverfahren.

Festkosten im verfassungsrechtlichen Verfahren

Festkosten für die Prozessparteien im verfassungsrechtlichen Verfahren

Für verfassungsrechtliche Verfahren werden grundsätzlich keine Gebühren erhoben.

Wann müssen die Kosten im verfassungsrechtlichen Verfahren entrichtet werden?

Für verfassungsrechtliche Verfahren werden grundsätzlich keine Gebühren erhoben.

Informationspflichten des Rechtsbeistands

Rechte und Pflichten der Parteien

Nach § 2.2 des [Verhaltenskodex der vereidigten lettischen Rechtsanwälte](#) (*Latvijas Zvērinātu advokātu Ētikas kodekss*) sollen Anwälte sich fachlich kompetent und offen zu den Rechtssachen ihrer Mandanten äußern und angemessenen Rechtsbeistand leisten. Nach § 3.1 Verhaltenskodex dürfen Rechtsanwälte in Fällen, in denen sie nicht kompetent sind oder ihre Pflichten nicht angemessen erfüllen können, kein Mandat übernehmen. Vor Übernahme eines Mandats muss sich der Rechtsanwalt deshalb mit dem Fall vertraut machen und dazu Stellung nehmen. Das [Anwaltsgesetz](#) erlegt vereidigten Rechtsanwälten bestimmte Pflichten auf und sieht beispielsweise vor, dass sie bei der Vertretung und Verteidigung der Rechte und legitimen Interessen der Person, die um Rechtsbeistand ersucht hat, alle im Gesetz vorgesehenen Gestaltungsmittel und Methoden anwenden.

Kostenfestsetzung – Rechtsgrundlagen

Wo kann man sich über die Kostengesetze in Lettland informieren?

Informationen über die Kostenfestsetzung in Gesetzen und Kabinettsverordnungen sind im Internet und in den bei den Gerichten erhältlichen Informationsbroschüren zu finden.

In welchen Sprachen sind Informationen über die Kostenfestsetzung in Lettland erhältlich?

Informationen über die Kosten für die Klageerhebung (ohne Angabe genauer Beträge) sind in allen EU-Amtssprachen auf der Website des [Europäischen Justiziellen Netzes für Zivil- und Handelssachen](#) (vgl. Abschnitt „Klage vor Gericht“) verfügbar.

Wo kann man sich über Mediation informieren?

Informationen über Mediation sind der Website [Mediācija.lv](#) zu entnehmen.

Wo sind weitere Informationen über Verfahrenskosten erhältlich?

Online-Informationen über Verfahrenskosten

Informationen über Verfahrenskosten werden im [Nationalen Gerichtsportal](#) bereitgestellt.

Die Website des [Justizministeriums](#) gibt Auskunft über Gerichte, Gerichtsverfahren, Urteile von Verwaltungs- und anderen Gerichten und anderes Wissenswertes.

Wo sind Informationen über die durchschnittliche Dauer der einzelnen Verfahrensarten erhältlich?

Angaben zur Verfahrensdauer finden sich in den statistischen Berichten über die Arbeit der Gerichte auf der Website des [Gerichtsinformationssystems](#) (*Tiesu informācijas sistēma*).

Wo sind Informationen über die durchschnittlichen Gesamtkosten der einzelnen Verfahrensarten erhältlich?

Zu den durchschnittlichen Gesamtkosten der einzelnen Verfahrensarten liegen keine Informationen vor.

Mehrwertsteuer

Wo gibt es Informationen zur Mehrwertsteuer?

Auf staatliche Gebühren und Gerichtsgebühren wird keine Mehrwertsteuer erhoben.

Wie hoch sind die Sätze?

Auf staatliche Gebühren und Gerichtsgebühren wird keine Mehrwertsteuer erhoben.

Prozesskostenhilfe

Anwendbare Einkommensschwelle im Zivilverfahren

Gemäß dem [Gesetz über staatliche Beratungs-/Prozesskostenhilfe](#) (*Valsts nodrošinātās juridiskās palīdzības likums*) wird **Beratungs-/Prozesskostenhilfe für Personen** gewährt,

die nach dem gesetzlich vorgesehenen Verfahren als arm oder in finanziellen Schwierigkeiten befindlich eingestuft worden sind;

die sich unvermittelt in einer persönlichen oder finanziellen Situation befinden, in der sie ihre Rechte nicht wahrnehmen können (z. B. aufgrund höherer Gewalt oder anderer von ihnen nicht zu beeinflussender Umstände);

die auf die Unterstützung staatlicher Stellen angewiesen sind.

In Fällen, in denen jemand aufgrund seiner besonderen Situation, seiner materiellen Umstände oder seines geringen Einkommens nicht in der Lage ist, selbst für einen Rechtsbeistand aufzukommen, wird **Beratungs-/Prozesskostenhilfe** auch **Personen** gewährt,

die aufgrund internationaler Verpflichtungen des Landes Anspruch auf Beratungs-/Prozesskostenhilfe durch die Republik Lettland haben;

die ihren Wohnsitz oder ihren gewöhnlichen Aufenthalt in einem Mitgliedstaat der Europäischen Union haben, wenn es sich um grenzübergreifende Streitfälle handelt.

Beratungs-/Prozesskostenhilfe wird auch in **Verwaltungssachen** gewährt (Widerspruch gegen Entscheidungen, die Asylanträge, angefochtene Rückführungsanordnungen und die Überprüfung von Ausweisungsanordnungen betreffen).

Anträge auf Beratungs-/Prozesskostenhilfe werden vom [Amt für Beratungs-/Prozesskostenhilfe](#) (*Juridiskās palīdzības administrācija*) geprüft, das über die Gewährung oder Ablehnung von Beratungs-/Prozesskostenhilfe entscheidet und den Antragstellern die Entscheidung mitteilt.

Anwendbare Einkommensschwelle für Angeklagte im Strafverfahren

Gemäß Artikel 17 bis 19 des [Gesetzes über die staatliche Beratungs-/Prozesskostenhilfe](#) können Personen, die einen Anspruch auf Verteidigung im Strafverfahren haben, einen Antrag auf Beratungs-/Prozesskostenhilfe stellen, bevor das endgültige Urteil rechtskräftig wird. In Strafverfahren deckt die staatliche Beratungs-/Prozesskostenhilfe die Rechtsberatung sowie Unterstützung bei der Abfassung von Schriftstücken und die Vertretung im Vorverfahren

und vor Gericht ab. Unter bestimmten in der Strafprozessordnung genannten Voraussetzungen beauftragt der Staat einen Rechtsanwalt mit der Vertretung des Angeklagten.

Nach Artikel 20 der [Strafprozessordnung](#) hat jede Person, die einer Straftat verdächtigt oder beschuldigt wird, das Recht auf Verteidigung, d. h. das Recht zu erfahren, welcher Straftat sie verdächtigt oder beschuldigt wird, und das Recht, die Art ihrer Verteidigung vor Gericht selbst zu wählen. Sie kann sich selbst verteidigen oder sich durch eine Person ihrer Wahl, z. B. einen vereidigten Rechtsanwalt, vertreten lassen. Das Gesetz regelt, in welchen Fällen Anwaltszwang besteht. Wenn der Beschuldigte finanziell nicht in der Lage ist, einen vereidigten Rechtsanwalt mit seiner Verteidigung zu beauftragen, sorgt der Staat für die anwaltliche Vertretung; er übernimmt die Kosten und setzt gegebenenfalls fest, welcher Anteil vom Angeklagten getragen werden muss. Gemäß Artikel 80 [Strafprozessordnung](#) kann der Angeklagte oder eine andere Person in seinem Namen eine Vereinbarung mit einem Rechtsanwalt schließen. Der Leiter des Verfahrens (*procesa virzītājs*) ist nicht berechtigt, eine solche Vereinbarung zu schließen oder einen bestimmten Rechtsanwalt mit der Vertretung des Angeklagten zu betrauen. Er muss dem Angeklagten die erforderlichen Informationen übermitteln und ihm Gelegenheit geben, Kontakt zu einem Rechtsanwalt aufzunehmen. Wenn der Angeklagte in einem Verfahren, in dem Anwaltszwang besteht oder er eine Vertretung wünscht, kein Mandat erteilt hat, ersucht der Leiter des Verfahrens den dienstältesten vereidigten Rechtsanwalt um die Benennung eines Verteidigers. Innerhalb von drei Arbeitstagen muss der Anwalt dem Ermittlungsbeamten den Namen eines Rechtsanwalts mitteilen, der die Verteidigung übernimmt.

Artikel 81 [Strafprozessordnung](#), der einzelne Verfahrensschritte regelt, sieht für den Fall, dass kein Vertretungsmandat vorliegt oder der bestellte Anwalt nicht dem gesamten Verfahren folgen kann, vor, dass der Leiter des Verfahrens aus dem vom dienstältesten Anwalt erstellten Verzeichnis der Pflichtverteidiger für den Gerichtsbezirk einen Rechtsanwalt auswählt, der die Verteidigung in den einzelnen Abschnitten des Verfahrens (in Bezug auf den Angeklagten betreffenden Untersuchungen) übernimmt.

Nach Artikel 84 Absatz 2 [Strafprozessordnung](#) sind die Höhe und die Zahlungsmodalitäten der Gebühren und Anwaltshonorare für Prozesskostenhilfe in Fällen, in denen der Angeklagte kein Vertretungsmandat erteilt hat, vom Kabinett festzulegen (vgl.

[Verordnung Nr. 1493 des Ministerkabinetts vom 22. Dezember 2009 zur Festlegung der Grundsätze für den Umfang der staatlichen Beratungs-/Prozesskostenhilfe, die Höhe der Zahlungen, die entsprechenden Kosten und die Zahlungsmodalitäten](#)).

Einkommensschwelle für Opfer im Strafverfahren

Im Strafverfahren kann das Opfer staatliche Beratungs-/Prozesskostenhilfe erhalten, d. h. ihm wird ein Anwalt zur Seite gestellt, der nach dem in der [Strafprozessordnung](#) festgelegten Verfahren in den vorgesehenen Fällen bestellt wird.

Nach Artikel 104 Absatz 5 [Strafprozessordnung](#) kann der Leiter des Verfahrens zudem in folgenden Fällen einen Anwalt mit der Vertretung eines Minderjährigen beauftragen:

wenn die Wahrung der Rechte und Interessen der minderjährigen Person gefährdet oder nicht gewährleistet ist;

auf begründeten Antrag einer erziehungsberechtigten Person (Mutter, Vater, Vormund, Großeltern, erwachsene Geschwister), bei der die minderjährige Person lebt und von der sie betreut wird, oder des Vertreters einer Kinderschutteinrichtung oder des Vertreters einer nichtstaatlichen Organisation, die für den Schutz der Rechte von Kindern eintritt.

In Ausnahmefällen kann der Leiter des Verfahrens einen Rechtsanwalt bestellen, wenn die Wahrung der Rechte und Interessen des Opfers einer Straftat, das bedürftig ist oder sich in finanziellen Schwierigkeiten befindet, anders nicht zu gewährleisten ist. Die Anwaltshonorare und Zahlungsmodalitäten für derartige Fälle wurden vom Kabinett festgelegt (siehe

[Verordnung Nr. 1493 des Ministerkabinetts vom 22. Dezember 2009 zur Festlegung der Grundsätze für den Umfang der staatlichen Beratungs-/Prozesskostenhilfe, die Höhe der Zahlungen, die entsprechenden Kosten und die Zahlungsmodalitäten](#)).

Personen, die als Opfer anerkannt wurden, gewährt der Staat Beratungs-/Prozesskostenhilfe (Hilfe beim Aufsetzen von Schriftstücken und Vertretung im Vorverfahren und vor Gericht).

Weitere Voraussetzungen für die Gewährung von Prozesskostenhilfe für Opfer

Siehe Angaben zur Einkommensschwelle für Opfer im Strafverfahren.

Weitere Voraussetzungen für die Gewährung von Prozesskostenhilfe für Angeklagte

Siehe Angaben zur Einkommensschwelle für Angeklagte im Strafverfahren.

Kostenfreie Verfahren

Folgende Personen und Einrichtungen sind von der Zahlung von Gerichtskosten an den Staat befreit:

Kläger bei Forderungen von Arbeitnehmern hinsichtlich der Vergütung von Arbeitsleistungen und anderer Ansprüche aus einem rechtmäßigen Beschäftigungsverhältnis;

Kläger, wenn es um die vertragsgemäße Vergütung für Arbeitsleistungen geht und der Kläger eine Haftstrafe verbüßt;

Kläger bei Forderungen aufgrund erlittener Verletzungen, die zu Invalidität, zu anderen Gesundheitsschäden oder zum Tod führen;

Kläger im Zusammenhang mit Unterhaltsforderungen für ein Kind oder einen Elternteil sowie bei der Feststellung einer Vaterschaft, wenn die Klage in Verbindung mit einer Unterhaltsforderung für ein Kind eingereicht wird;

Antragsteller, wenn ein im Ausland ergangener Beschluss über Unterhaltsforderungen für ein Kind oder Elternteil anerkannt bzw. anerkannt und vollstreckt werden soll;

Kläger, wenn es um Schadenersatz für materielle und immaterielle Schäden infolge einer Straftat geht;

Staatsanwälte sowie nationale oder kommunale Behörden und Personen, die von Gesetzes wegen mit dem Schutz und der Wahrung der Rechte und Interessen Dritter vor Gericht betraut sind;

Antragsteller, wenn die Geschäftsunfähigkeit einer Person festgestellt und eine Betreuungsperson bestellt werden soll;

Antragsteller, wenn es um die Bestellung einer Betreuungsperson für eine Person geht, die zu einer geordneten Lebensführung oder einem angemessenen Umgang mit Geld nicht in der Lage ist oder die alkohol- oder drogenabhängig ist;

Beklagte, wenn es um die Verringerung der von einem Gericht festgelegten Unterhaltszahlungen für ein Kind oder Elternteil oder um die Verringerung von Unterhaltszahlungen geht, die das Gericht einem Geschädigten wegen erlittener Verletzungen zuerkannt hat, die zu Invalidität, zu anderen Gesundheitsschäden oder zum Tod führen;

Antragsteller, wenn ein Kind illegal über eine Grenze verbracht oder festgehalten wird;

Verwalter bei Forderungen zugunsten zahlungsunfähiger natürlicher oder juristischer Personen und Verwalter, die für juristische Personen unter den in [§ 51 Absatz 3 Insolvenzgesetz](#) (*Maksātnespējas likums*) genannten Bedingungen einen Antrag auf Insolvenzeröffnung stellen;

Vollstreckungsgläubiger im Zusammenhang mit der Einziehung von Geldern für die Staatskasse;

Vollstreckungsgläubiger, wenn die Einziehung auf der Grundlage eines einheitlichen Vollstreckungstitels erfolgt, der die Vollstreckung der Forderung in einem ersuchten Mitgliedstaat erlaubt;

Steuerbehörden im Zusammenhang mit dem Insolvenzantrag einer juristischen Person;
das Einbürgerungsamt (*Pilsonības un migrācijas lietu pārvalde*), wenn die lettische Staatsbürgerschaft aberkannt werden soll;
die Sozialversicherung (*Valsts sociālās apdrošināšanas aģentūra*) bei der Einziehung von Geldern für die Staatskasse zugunsten der Sozialversicherung oder von zuviel gezahlten Sozialleistungen oder Sozialversicherungsleistungen oder staatlichen Leistungen im Zusammenhang mit Verkehrsunfällen.
Auch in anderen gesetzlich vorgesehenen Fällen können die Verfahrensparteien **von der Zahlung von Gerichtskosten befreit** sein. Ein Gericht oder Richter kann eine natürliche Person aufgrund ihrer finanziellen Situation ganz oder teilweise von der Zahlung von Gerichtskosten an die Staatskasse befreien oder Stundung oder Ratenzahlung der fälligen Gerichtskosten gewähren.

Wann muss die unterlegene Partei die Kosten der anderen Partei übernehmen?

Die Partei, zu deren Gunsten das Urteil gesprochen wurde, kann sich sämtliche Gerichtskosten von der unterlegenen Partei erstatten lassen. Wenn einem Antrag nur teilweise stattgegeben wurde, können die Kosten anteilig entsprechend dem vom Gericht anerkannten Teil der Forderung erstattet werden. Dem Beklagten werden die Kosten entsprechend dem vom Gericht abgewiesenen Teil der Forderung anteilig erstattet. Die Kosten eines Antrags auf Wiedereröffnung und erneute Verhandlung einer Rechtssache, in der ein Versäumnisurteil ergangen ist, werden nicht erstattet.
Wenn dem Antrag des Klägers ganz oder teilweise stattgegeben wird, muss der Beklagte die dem Kläger entstandenen Kosten wie Anwaltshonorare, durch Teilnahme am Gerichtsverfahren angefallene Kosten oder Ausgaben im Zusammenhang mit der Beweiserhebung in der gesetzlich vorgesehenen Höhe erstatten. Wenn der Antrag abgelehnt wird, muss der Kläger die dem Beklagten entstandenen Kosten erstatten.

Vergütung von Sachverständigen

Die Vergütung eines Sachverständigen wird von der Partei getragen, die seine Hinzuziehung beantragt hat, und ist zu zahlen, bevor eine Entscheidung ergeht. Eine Partei, die von der Zahlung von Gerichtskosten befreit ist, muss auch die Sachverständigenkosten nicht übernehmen. In dem Fall trägt die Gerichtsverwaltung die Sachverständigenkosten (mit Ausnahme der Kosten für Forensiker im Staatsdienst).

Vergütung von Übersetzern und Dolmetschern

Wenn eine Partei die im Verfahren verwendete Sprache nicht beherrscht (die Vertretung einer juristischen Person ausgenommen), muss das Gericht dafür Sorge tragen, dass sie sich mit den Unterlagen vertraut machen und mit Unterstützung eines Dolmetschers an dem Verfahren teilnehmen kann.

Dokumente zum Thema

[Bericht über die Studie zur Kostentransparenz in Lettland](#)  (742 Kb) 

Letzte Aktualisierung: 28/09/2022

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Case study 1 - family law - divorce - Latvia

In this case study on family law (divorce), Member States were asked to advise the party filing for divorce on litigation fees in the following situations:

Case A. National scenario: a couple gets married. Later they separate and agree to a divorce.

Case B. International scenario: two nationals from the same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fee	Other fees	Fee for submitting application to court	Clerical fee	Other fees
A	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Advocate, bailiff and expert fees

Case	Advocate		Expert	
	Is representation compulsory?	Average fees	Is use compulsory?	Fees
A	No. Natural persons may represent themselves in court or be represented by an authorised party	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings can be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No. A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.
B	No.		No.	

	Natural persons may represent themselves in court or be represented by an authorised party	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings can be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.
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Case	Bailliff		
	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	No	Not applicable	Not applicable
B	No	Not applicable	Not applicable

Fees for witness compensation, pledges or security and other relevant fees

Case	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If a person has reason to believe that the submission of necessary evidence on their behalf may be rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	LVL 20 (if the application is submitted prior to bringing the case).
B	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If a person has reason to believe that the submission of necessary evidence on their behalf may be rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	LVL 20 (if the application is submitted prior to bringing the case).

Fees for legal aid and other reimbursement

Case	Reimbursement	
	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	In delivering a judgment in a divorce case, the court divides court fees between the parties, taking into account their financial situations.	Where the plaintiff discontinues an action, he or she must reimburse the court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	In delivering a judgment in a divorce case, the court divides court fees between the parties, taking into account their financial situations.	Where the plaintiff discontinues an action, he or she must reimburse the court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.

Translation and interpretation fees

Case	Translation		Interpretation		Other fees specific to cross-border disputes	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees	Description	Approximate fees

A	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in the court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Translation is provided by the court.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.
B	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in the court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Translation is provided by the court. Where evidence is gathered abroad the actual translation fee must be covered.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.

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Case study 2 - family law - custody of the children - Latvia

In this case study on family law (custody of children), Member States were asked to advise the suing party on litigation fees in the following situations:
Case A. National scenario: two persons have lived together unmarried for a number of years. Their child is three years old when they decide to separate. A court decision grants custody of the child to the mother and access rights to the father. The mother sues to limit the father's access rights.
Case B. International scenario where you are an advocate in Member State A: two persons have lived together unmarried in Member State B for a number of years. They have a child together but separate immediately after the child's birth. A court in Member State B grants custody of the child to the mother and access rights to the father. The mother and the child move to live in another Member State (Member State A) as authorised by the court, and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's access rights.

Fees in Latvia

Court and appeal fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fees	Other fees	Fee for submitting application to court	Clerical fees	Other fees
A	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Advocate, bailiff and expert fees

Case	Advocate		Bailiff		
	Is representation compulsory?	Average fees	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	No.		No.	Not applicable.	Fees for the services of a bailiff are only incurred

	Natural persons may represent themselves in court or be represented by an authorised party.	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.			where one of the parties fails to observe the access arrangements ordered by the court and one of the parties has to initiate enforcement of the court order: 1) the State fee for submitting a written enforcement order is LVL 2 (payable by the claimant); 2) the remuneration for a certified bailiff is LVL 93.70 (covered by the defaulting party); 3) other fees relating to the enforcement of a judgment (covered by the defaulting party).
B	No. Natural persons may represent themselves in court or be represented by an authorised party	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No.	Not applicable.	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2 (payable by the claimant); 2) the remuneration for a certified bailiff is LVL 93.70 (covered by the defaulting party); 3) other fees relating to the enforcement of a judgment (covered by the defaulting party).

Case	Expert	
	Is use compulsory?	Fees
A	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.
B	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.

Fees for witness compensation, pledges or security and other relevant fees

Case	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If a person has reason to believe that the submission of necessary evidence on their behalf may be rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	LVL 20 (if the application is submitted prior to bringing the case).
B	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation;	If a person has reason to believe that the submission of necessary evidence on their behalf may be	LVL 20 (if the application is submitted prior to bringing the case).

calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	3) average earnings.	rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	
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Reimbursement of fees

Case	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.

Translation and interpretation fees

Case	Translation		Interpretation		Other fees specific to cross-border disputes	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees	Description	Approximate fees
A	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Translation is provided by the court.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.
B	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling	Translation is provided by the court. Where evidence is gathered abroad the actual translation fee must be covered.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.

participation in court hearings using an interpreter's services.					
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Case study 3 - family law - alimony - Latvia

In this case study on family law (alimony) Member States were asked to advise the suing party on litigation costs in the following situations:

Case A. National scenario: two persons have lived together unmarried for a number of years. Their child is three years old when they decide to separate. A court decision grants custody of the child to the mother. There is an ongoing dispute between the two parties regarding the amount of alimony owed to the mother by the father for the support and education of the child. The mother sues on this point.

Case B. international scenario where you are an advocate in Member State A: two persons have lived together unmarried in Member State B for a number of years. They have a three-year-old child. They separate. A court decision in Member State B grants custody of the child to the mother. With the agreement of the father, the mother and the child move to live in another Member State (Member State A), which becomes their place of permanent residence.

There is an ongoing dispute between the two parties regarding the amount of alimony owed to the mother by the father for the support and education of the child. The mother sues on this point in Member State A.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fees	Other costs	Fee for submitting application to court	Clerical fees	Other costs
A	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.

Advocate, bailiff and expert fees

Case	Advocate				
	Is representation compulsory?			Average fees	
A	No. Natural persons may represent themselves in court or be represented by an authorised party.			Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	
B	No. Natural persons may represent themselves in court or be represented by an authorised party.			Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	
Case	Bailiff			Expert	
	Is representation compulsory?	Pre-judgment fees	Post-judgment fees	Is use compulsory?	Fees
A	No.	Not applicable.	Where a judgment is not enforced voluntarily:	No. A court orders an expert examination where this is	In accordance with Cabinet regulations.

			1) the State fee for submitting a written enforcement order is LVL 2; 2) a certified bailiff's remuneration depends on the amount of the debt at the start of enforcement proceedings; 3) other fees relating to the enforcement of a judgment. The claimant is exempted from paying fees for the enforcement of a decision. These costs are recovered from the defendant.	requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	
B	No	Not applicable	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) a certified bailiff's remuneration depends on the amount of the debt at the start of enforcement proceedings; 3) other fees relating to the enforcement of a judgment. The claimant is exempted from paying fees for the enforcement of a decision. These fees are recovered from the defendant.	No A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.

Fees for witness compensation, pledges or security and other relevant fees

Case	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do this exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	Where an application to secure the claim has been made, 0.5 % of the amount of the claim, but no less than LVL 50.
B	Yes. If none of the parties is exempted from paying, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	Where an application to secure the claim has been made, 0.5 % of the amount of the claim, but no less than LVL 50.

	The exception is where the law states that the court has an obligation to gather and obtain evidence.			
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Fees for legal aid and other reimbursement

Case	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.

Translation and interpretation fees

Case	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees
A	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Where evidence is gathered abroad, translation fees are covered in full.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.
B	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Where evidence is gathered abroad, translation fees are covered in full.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.

Case	Other fees specific to cross-border disputes	
	Description	Approximate fees
A	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.
B	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.

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Case study 4 - commercial law - contract - Latvia

In this case study on commercial law (contract), Member States were asked to advise the seller on litigation fees in the following situations.

Case A. National scenario: a company has delivered EUR 20 000 worth of goods. The seller has not been paid because the buyer does not believe the goods comply with the terms of the contract.

The seller decides to sue to obtain full payment for the goods.

Case B. International scenario: a company whose head offices are located in Member State B has delivered EUR 20 000 worth of goods to a buyer in Member State A. The contract is subject to the laws of Member State B and is drawn up in the language of Member State B. The seller has not been paid because the buyer, who is located in Member State A, does not believe the goods comply with the terms of the contract. The seller decides to sue in Member State A in order to obtain full payment for the goods.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case study	Court			Appeal		
	Fee for submitting application to court	Clerical fee	Other fees	Fee for submitting application to court	Clerical fee	Other fees
A	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Case study	Alternative dispute resolution	
	Can this be used in this specific case?	Fees
A	Parties may agree that the dispute be submitted to a court of arbitration.	Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.
B	Parties may agree that the dispute be submitted to a court of arbitration.	Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.

Advocate, bailiff and expert fees

Case study	Advocate		Bailiff		
	Is representation compulsory?	Average fees	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	Legal entities may be represented in court by professionals acting in accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No.	Where a decision is reached about securing the claim: 1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2) for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.
B	Legal entities may be represented in court by professionals acting in	Individuals work with a certified advocate on the basis of an agreement.	No.	Where a decision is reached about securing the claim:	Where a judgment is not enforced voluntarily:

	accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	NB: fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.		1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2 for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26.	1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.
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Case study	Expert			
	Is use compulsory?		Fees	
A	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.		In accordance with Cabinet regulations.	
B	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.		In accordance with Cabinet regulations.	

Fees for witness compensation, pledges or security and other relevant fees

Case study	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.
B	Yes If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.

Fees for legal aid and other reimbursement

Case study	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	Yes The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse the court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	Yes.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the part	Where the plaintiff discontinues an action, he or she must reimburse the court fees

	The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action	incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
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Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees
A	Court proceedings are conducted in the official State language. The Court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	No fixed fees set, fee agreed upon.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgement has not yet been executed and the period for its enforcement has not yet expired.	Not applicable.
B	Court proceedings are conducted in the official State language. The Court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	No fixed fees set, fee agreed upon.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgement has not yet been executed and the period for its enforcement has not yet expired.	Not applicable.

Translation and interpretation fees

Case study	Other fees relating to disputes?	
	Description	Approximate fees
A	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.
B	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.

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Case study 5 - commercial law - responsibility - Latvia

In this case study on commercial law (contract), Member States were asked to advise the seller on litigation fees in the following situations.

Case A. National scenario: a company has delivered EUR 20 000 worth of goods. The seller has not been paid because the buyer does not believe the goods comply with the terms of the contract.

The seller decides to sue to obtain full payment for the goods.

Case B. International scenario: a company whose head offices are located in Member State B has delivered EUR 20 000 worth of goods to a buyer in Member State A. The contract is subject to the laws of Member State B and is drawn up in the language of Member State B. The seller has not been paid because the buyer, who is located in Member State A, does not believe the goods comply with the terms of the contract. The seller decides to sue in Member State A in order to obtain full payment for the goods.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case study	Court			Appeal		
	Fee for submitting application to court	Clerical fee	Other fees	Fee for submitting application to court	Clerical fee	Other fees

A	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Case study	Alternative dispute resolution					
	Can this be used in this specific case?			Fees		
A	Parties may agree that the dispute be submitted to a court of arbitration.			Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.		
B	Parties may agree that the dispute be submitted to a court of arbitration.			Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.		

Advocate, bailiff and expert fees

Case study	Advocate		Bailiff		
	Is representation compulsory?	Average fees	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	Legal entities may be represented in court by professionals acting in accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No.	Where a decision is reached about securing the claim: 1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2) for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.
B	Legal entities may be represented in court by professionals acting in accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No.	Where a decision is reached about securing the claim: 1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2 for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26.	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.

Case study	Expert	
	Is use compulsory?	Fees
A	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.
B	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	In accordance with Cabinet regulations.

Fees for witness compensation, pledges or security and other relevant fees

Case study	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.
B	Yes If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.

Fees for legal aid and other reimbursement

Case study	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	Yes The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse the court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	Yes. The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action	Where the plaintiff discontinues an action, he or she must reimburse the court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.

Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees
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	examined and enabling participation in court hearings using an interpreter's services.			
B	Court proceedings are conducted in the official State language. The Court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	No fixed fees set, fee agreed upon.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgement has not yet been executed and the period for its enforcement has not yet expired.	Not applicable.

Translation and interpretation fees

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