

[Home](#) > ... > [Money/monetary Claims](#) > [Court Fees Concerning Small Claims Procedure](#) > [Latvia](#)

Court fees concerning Small Claims procedure

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Latvia



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Introduction

Pursuant to [Article 33 of the Civil Procedure Law](#) (*Civilprocesa likums*) legal expenses (*tiesāšanās izdevumi*) comprise:

1. court fees;
2. deposits;
3. and the expenses related to handling the proceedings.

What fees are applicable?

Court fees consist of:

(1) a State fee (*valsts nodeva*):

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

(2) costs related to examination of a case, namely:

1. sums payable to witnesses and expert witnesses;
2. expenses related to the hearing of witnesses or carrying out inspections on site;
3. expenses incurred in tracing the defendant or a witness;
4. expenses related to the enforcement of a judgment;
5. expenses related to the drafting, service, issue and translation of court summonses and other related court documents and for the return of written evidence;
6. expenses related to the drafting and issue of legal notices;
7. expenses related to securing the claim or provisional safeguards;

(3) *costs related to the proceedings*, i.e.

1. lawyer's fees;
2. costs related to appearances at court hearings;
3. costs related to collecting evidence;
4. costs related to State-funded legal aid;
5. costs for an interpreter's assistance at the court hearing.

How much shall I pay?

[Article 34 of the Civil Procedure Law](#) lays down the amount of *State fees* by claim, assessed as a monetary

payment: for applications in divorce cases; for applications in special forms of procedure; for other applications, which are not of a pecuniary nature or where no assessment is required; for applications to have an arbitration agreement ruled invalid; for applications concerning copyright and related rights, database protection (*sui generis*), trade marks, certification marks and geographical indications, patents, designs, plant varieties, infringements and protection of semiconductor topography, applications for the protection of trade secrets against their unlawful acquisition, use and disclosure and for which the dispute is before the industrial property appeals board; for applications in cases seeking to invalidate a decision of a general meeting of participants (shareholders) of a capital company; for applications for security or provisional safeguards; for applications for European account preservation orders pursuant to Regulation (EU) No 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters; for applications for evidentiary proceedings, where submitted prior to any legal action; for applications for a European order for payment pursuant to Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure; for applications for the enforcement of obligations on court notice; for applications for undisputed enforcement of obligations; for applications for the issuing of a writ of execution for the recognition and enforcement of an award by the Permanent Court of Arbitrage or a foreign arbitral tribunal; for applications for a resumption of proceedings and the reopening of proceedings after a default judgment; for applications to open proceedings for the separation of spouses' jointly owned property; for complaints in legal protection proceedings, for complaints in insolvency proceedings due to decisions of the meeting of creditors, for complaints about the decisions of the Insolvency Control Service (*Maksātnespējas kontroles dienests*), as well as with respect to Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings; for applications for the consolidation of immovable property in the name of the purchaser; for applications for the transfer of the parties' procedural rights, where such applications are submitted to the court after the final decision on the case has entered into force; for applications to cancel the release from debt obligations of natural persons; for applications for issuing a duplicate of a writ of enforcement.

The Cabinet of Ministers determines the amount to be paid to witnesses and expert witnesses, as well as the level of expenses and their calculation method for questioning witnesses or conducting on-site inspections, tracing defendants or witnesses, preparing, serving, issuing and translating summonses and other related court documents, returning written evidence, drafting and publishing legal notices and securing a claim or provisional safeguards.

The amount of security to be lodged is laid down in [Article 43.¹ of the Civil Procedure Law](#).

The extent to which the expenses related to the case are reimbursable is laid down in [Article 44 of the Civil Procedure Law](#).

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

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

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

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

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

How can I pay the court fees?

The State fee can be paid to the account of the State Treasury (Valsts kase).

Expenses related to the examination of a case can be paid to the account of the Courts Administration (Tiesu

administrācija).

State fees and court accounts

State judicial fee (Article 34 of the Civil Procedure Law, excluding Paragraph six (for the submission for enforcement of a writ of execution or other enforcement document)):

Beneficiary: State Treasury

Registration No 90000050138

Account No LV55TREL1060190911200

Beneficiary's bank: State Treasury

BIC code TREL LV22

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

The State fee for the submission for enforcement of a writ of execution or other enforcement document (Article 34 Paragraph six of the Civil Procedure Law):

before submitting the enforcement documents for enforcement, ask the collection agent via the 'Other services' section of the electronic auctions website to generate the invoice for the State fee for the submission for enforcement of enforcement documents and pay it.

Purpose of payment: indicate the invoice number and the enforcement document number.

Expenses related to the examination of a case by a district (city) court or regional court (Article 39 of the Civil Procedure Law); expenses related to the enforcement of obligations on court notice (Article 406.3 of the Civil Procedure Law):

Beneficiary: Courts Administration

Registration No 90001672316

Account No LV51TREL2190458019000

Beneficiary's bank: State Treasury

BIC code TREL LV22

Purpose of payment: '21490', and give the particulars identifying the person or the case: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons, the name and registration number. If the payment of expenses related to the examination of a case is made on behalf of another person, information must be given identifying that person: the number of the case (if known); for natural persons, the given name, surname, and personal identity number; for legal persons - name and registration number.

What shall I do after the payment?

When you submit an application to the court, you must attach documents confirming payment of State fees and other court expenses in accordance with the procedure and in the amount prescribed by law.

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