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Online processing of cases and e-communication with courts



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European Judicial Network
(in civil and commercial matters)

1 Is it possible to initiate court proceedings via the internet?

Latvia has developed an online portal e-case (*e-lieta*), which enables a person to initiate legal proceedings under the Law on civil procedure, and to submit procedural documents, keep track of the course of legal proceedings and to receive and review documentation in legal proceedings.

2 If so, for what types of cases is it available? Are any proceedings available exclusively via the internet?

Personal rights and the possibility to initiate legal proceedings using the online portal, both in civil and administrative proceedings. Likewise, in all proceedings the parties are given the opportunity to communicate with the institution and to consult the case file via the e-case portal. At the same time, in civil proceedings and administrative proceedings, a person retains the right to apply to the court in paper format if they cannot or do not want to use electronic tools.

3 Is the facility available at all times (i.e. 24 hours a day, 7 days a week) or just during specific hours? If so, what are those hours?

Court documents can be submitted and accessed electronically and online at any time, but the court or authority having jurisdiction will review and process the documents during its working hours.

4 Should the details of the claim be provided in any particular format?

To submit a claim through the e-case online portal, it is possible to fill in a specially prepared form and to enclose all documents required by legislation, but an individual may also choose to upload a self-prepared application.

5 How is transmission and storage of data secured?

In accordance with the current regulatory framework, compliance with the security requirements of the e-case platform, of which the e-case portal is one of the shared solutions, is ensured by the platform operator. The Courts Administration (*Tiesu administrācija*), as the operator of the e-case platform, is also the controller of personal data with regard to personal data necessary to ensure access to the organisation of the e-case platform's operation in accordance with legislation. However, with regard to personal data collected from other national information systems, the controller for the processing of personal data on the e-case platform is the national authority responsible for the processing of personal data in the relevant national information system.

6 Is it necessary to use any kind of electronic signature and/or time record?

In order to use the e-case portal, one of the following authentication tools is required: eID card (*eID karte*), eSignature (*eParaksts*), eSignature mobile (*eParakstsmobile*), eIDAS.

7 Are court fees payable? If so, how can they be paid and are they different to those for non-electronic procedures?

Court fees can be paid using the e-case online portal. The amount of fees does not differ from the amount of fees outside of the electronic procedure.

8 Is it possible to withdraw a claim that has been initiated via the internet?

Any person who has brought an application has the right to withdraw it in the cases specified by law, irrespective of the form in which the application was brought before the court.

9 If the claimant initiates proceedings via the internet is it possible and/or compulsory for the defendant to respond using the internet as well?

The respondent has the right to choose the way in which they communicate with the court. In accordance with legislation, communication is possible via the e-case portal, e-mail, the official electronic address of the addressee or in paper format. If a person has agreed to the use of one of the electronic means of communication mentioned above to communicate with the court, they must be reachable via the e-case portal, the e-mail address they have provided or the official e-mail address.

10 In terms of the electronic procedure what happens if the defendant responds to the claim?

In order to use one of the electronic means of communication, the respondent must notify the court that they agree to use the online system or email to communicate with the court. At the same time, within the framework of the proceedings for non-judicial enforcement of obligations, the debtor's response must be drawn up in conformity with the template approved by the Cabinet of Ministers. A debtor may reply using the online form available in the online system. In such a case, the debtor has agreed to use the online system for communication with the court.

11 In terms of the electronic procedure what happens if the defendant does not respond to a claim?

If a respondent has not given consent to use any of the electronic means of communication with the court, they must be reachable at their declared place of residence, at the additional address indicated in the declaration or at another address indicated by the person for communication with the court. The fact that judicial documents have been delivered to the address of a declared place of residence, an additional address indicated in the declaration, an address the person has indicated for communication with the court, and a notice of delivery is received from the post or the documents are returned, does not in itself affect the fact of the documents having been served. There is a presumption that documents have been served on the seventh day from the day of dispatch if sent by post or on the third day from dispatch if sent electronically.

12 Is it possible to submit documents to a court electronically and if so in what type of proceedings and under what conditions is it possible?

In Latvia, it is possible to send documents electronically.

Pursuant to Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures, courts are obliged to accept electronically signed documents.

Latvian national legislation on electronic documents (the Law on electronic documents (*Elektronisko dokumentu likums*)) states that electronic documents for the purpose of establishing their authenticity, must include data confirming both the authenticity of the document and the identity of its signatory and, in order to be considered as having been signed by the signatory themselves, must be signed with a secure electronic signature. When using electronic documents, data security is ensured by the providers of secure electronic signature services in accordance with the provisions of the Law on electronic documents and the rules on personal data protection in Latvia. An individual must give special consent for correspondence with a court using electronic mail. This means that the court will send documents it has drawn up to the party.

Moreover, claims of any kind may be brought using documents certified with a secure electronic signature except where the law lays down a special procedure for initiating proceedings. The procedure for the exchange of electronic documents does not apply to certain types of contract relating to real estate, family and inheritance law, and certain types of guarantee contract.

With regard to time stamp, where legislation specifies that in addition to the other requisites a document requires also a time stamp, this requirement is fulfilled with regard to an electronic document, if the electronic document has a secure electronic signature and time stamp, or an electronic signature if the parties have agreed in writing that electronic documents may be signed with an electronic signature.

13 Can judicial documents, and particularly judgments, be served via the internet?

Yes, the court may issue documents, including judgments, using the internet, if the parties have consented to such. In addition, if the court finds that it is not possible to issue a judgment at a hearing, it may set a date when the judgment will be drawn up and available online. The court sets a date within the next 30 days when the judgment will be available online. The date on which the judgment is available in the online system is deemed to be the date of delivery of the judgment.

14 Can judicial decisions be given electronically?

Court documents, including judgments, may be served electronically if the applicant has indicated in the application that they are prepared to use electronic mail for correspondence with the court.

15 Can an appeal be made and its decision served via the internet?

Yes, an individual can submit and receive appellate decisions using the e-case online portal.

An individual must give special consent for correspondence with a court using electronic mail. This means that the court will send documents it has drawn up to the party.

16 Is it possible to initiate enforcement proceedings via the internet?

Yes, with the introduction of the e-case system, a solution has been put in place for the provision of electronic enforcement documents issued by the court, modernising the circulation of enforcement documents between the court, debt collectors and sworn bailiffs. The circulation of enforcement documents takes place online between the Judicial Information System and the Register of Enforcement Cases. The court prepares the enforcement order within the term laid down by law and makes it available in the Judicial Information System. A bailiff initiates enforcement action pursuant to a written application from a debt collector, which may be submitted either in paper form, signed by the debt collector, or by sending the application with a secure electronic signature to the official e-address or e-mail address of the bailiff. When entering an enforcement file, a bailiff transfers the enforcement document in the form of structured data from the Court Information System to the Register of Enforcement Cases.

17 Can the parties or their legal representatives consult on-line cases? If

so, how this can be done?

The parties and their legal representatives can consult the case file and submit procedural documents via the [e-case online portal](#).

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