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# Cross-border placement of a child including foster family

 Latvia

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European Judicial Network  
(in civil and commercial  
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## 1 Which authority is to be consulted and to give prior consent before the cross-border placement of a child within your territory?

Before ordering a cross-border placement of a child, the competent family court (*bāriņtiesa*) having jurisdiction over the territory where the child is being placed must be consulted and its consent must be obtained.

## 2 Please describe shortly the procedure for consultation and the obtaining of consent (including required documents, deadlines, modalities of the procedure, and other relevant details) for cross-border placement of children within your territory.

The Ministry of Justice of Latvia is the central contact point handling the placement orders and forwarding them to a competent authority in Latvia which issues placement decisions.

List of required documents:

1. Information about the child's legal status and copies of all relevant court decisions, and a Latvian translation thereof;
2. Information about the reasons for the removal of the child from the family, and a Latvian translation thereof;
3. Copy of the child's birth certificate;
4. Information about the child's needs (health condition, education, emotional needs, and the languages which can be used to communicate with the child), and a Latvian translation thereof;
5. A school or preschool attendance certificate and medical records (medical examinations, vaccinations and diagnoses), and a Latvian translation thereof;
6. Information about the person or family the child is being placed with.
7. If the placement is for a fixed period of time for social rehabilitation or adjustment, proof is required that the requesting country will bear the costs, in addition to the legal guardian's consent to the placement and a summary of the case (case history, current social and family situation, description of problems and resources, social worker's conclusions and projections, objectives achieved and brief assessment).
8. If the person with whom the child is to be placed does not have the status of foster family, guardian or host family granted by the Latvian competent authority, the requesting Member State must submit an assessment of the person's suitability to take a child into their care, as well as a statement confirming that the person is not

under surveillance by the law enforcement authorities for possible violations of children's rights or criminal offences, which could have an influence on their ability to care for the child.

9. Information on the arrangements for contact with the parents, other relatives, or other persons with whom the child has a close relationship, or the reasons why such contact is not contemplated.

10. The Latvian competent authority reserves the right to request additional information should the need arise.

\*Where a foreign authority has not named any particular individual in Latvia to place the child with, given the significance of ties to Latvia for the child, a family court will help to find a suitable guardian or foster family in Latvia.

### 3 Has your Member State decided that consent is not required for cross-border placements of children within your territory where the child is to be placed with certain categories of close relatives? If yes, what are the categories of close relatives?

As a rule, within the Latvian regulatory framework, consent is required for the placement of a child with any of the child's relatives or persons with whom the child has a close relationship. An exception is, however, made with regard to the duration of the placement. Namely, in accordance with Article 45<sup>1</sup> of the [Law on the protection of children's rights](#) parents may place a child in another person's care in Latvia for a period not exceeding three months. In such a circumstance, one of the parents needs to draw up a power of attorney, specifying to what extent the parents grant the other person the power to represent their child's best interests.

This condition applies solely to children under parental care and to cases where the child is placed in the care of another person for no more than three months.

### 4 Does your Member State have in place any agreements or arrangements for simplifying the consultation procedure for obtaining consent for the cross-border placement of children?

There are no agreements or arrangements in place for simplifying the consultation procedure.

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