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# Service of documents: official transmission of legal documents

 Latvia

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European Judicial Network  
(in civil and commercial matters)

## 1 What does the legal term "service of documents" mean in practical terms? Why are there specific rules regarding the "service of documents"?

The 'service' (izsniegšana) of a judicial document means the timely delivery of the document to a recipient so as to enable the recipient to exercise and defend their rights. The Civil Procedure Law (Civilprocesa likums) provides for several different types of service, including registered letter, electronic mail, service by a bailiff (tiesu izpildītājs), and service by a messenger (ziņnesis). A judicial document is deemed to have been served when it is served in accordance with the formal requirements laid down by legislation and service is recorded in the form established for the purpose.

## 2 Which documents need to be served formally?

Judicial documents drawn up in accordance with Article 56(2) of the Civil Procedure Law: judgments, decisions, notifications, summonses, applications made in specific kinds of proceedings, ordinary appeals, appeals in cassation, true copies of written submissions, and all documents drawn up and submitted to the court by parties to the case but subsequently served on other parties by the court itself.

## 3 Who is responsible for serving a document?

A document from another country will be served in Latvia by a bailiff.

The central body is the Council of Sworn Bailiffs of Latvia (Zvērinātu tiesu izpildītāju padome).

Address: Lāčplēša iela 27-32, Rīga, LV-1011, Latvia

Telephone: +371 67290005, fax: +371 62302503

E-mail: [documents@lzt.lv](mailto:documents@lzt.lv)

Further details at: <https://www.lzti.lv/service-foreign-documents/>

## 4 Address enquiries

Latvia has chosen the mechanism referred to in Article 7(1)(c) of the Regulation, i.e. providing detailed information through the European e-Justice Portal on how to find the addresses of persons to be served.

4.1 Does the requested authority in this Member State on its own initiative, try and establish the whereabouts of the addressee of the documents to be served if the address indicated is not correct? See also notification under Article 7(2)(c) of the Service of Documents Regulation.

The Latvian competent authorities do not carry out address enquiries. The Latvian authorities do not submit, on their own initiative, requests for information about addresses to the register of natural persons in cases where the address indicated in the request for service is incorrect.

The submitting authority or the requesting party is responsible for finding the address of the addressee.

4.2 Do foreign judicial authorities and/or parties to judicial proceedings have access to registers or services in this Member State enabling the establishment of the person's current address? If yes, which registers or services exist and what procedure must be followed? What fee, if any, should be paid?

1. To find the address of a natural person, an official request may be submitted to the Office of Citizenship and Migration Affairs under the Ministry of the Interior, which keeps a register of natural persons. A request for the issue of an extract from the register of natural persons ([par izziņas sniegšanu no Fizisko personu reģistra](#)) should indicate why the data are needed, so that the data controllers can decide whether there are proper grounds for supplying such information.

2. The address of a company may be obtained free of charge by consulting the information contained in the Enterprise Register. All entries in the commercial register are published free of charge on the information [website](#), thus ensuring their initial availability to the public online.

4.3 What type of assistance in address enquiries from other Member States do the authorities of this Member State provide under Article 7(1) of the Service of Documents Regulation? See also notification under Article 7(1) of the Service of Documents Regulation.

The Latvian Council of Sworn Bailiffs does not carry out address enquiries (i.e. search for defendants).

5 How is the document normally served in practice? Are there alternative methods which may be used (other than substituted service referred to in point 7 below)?

The document is served by the bailiff, who calls on the addressee.

6 Is electronic service of documents (service of judicial or extrajudicial documents through remote means of electronic communication, such as e-mail, internet based secured application, fax, sms etc.) permitted in civil proceedings? If so, for which types of proceedings is this method provided for? Are there restrictions with regard to the availability/access of this method of service of documents depending on who the addressee is (legal professional, legal person, company or other business actor, etc.)?

Judicial documents are sent electronically, by regular post or via a messenger. Judicial documents are sent electronically, in the following order:

1) online, where the addressee has notified the court that they agree to communications with the court being effected online;

2) to the email address indicated by the addressee, where the addressee has notified the court that they agree to communications with the court being effected by e-mail;

3) to the official electronic address of the addressee.

Where the electronic transmission of judicial documents to a natural person in accordance with this procedure is not possible, they are sent to the place of residence declared by the natural person and, where an additional address is indicated in the declaration, to that additional address, unless the natural person has given another address for communications with the court.

If the defendant does not have a declared place of residence and has not provided another address for communications with the court, the court documents shall be served at the defendant's address as indicated by a party to the proceedings, where known. Judicial documents may also be sent to a person's place of work.

Where the electronic transmission of judicial documents to a legal person under this procedure is not possible, they shall be sent to its registered office.

Judicial documents delivered by a messenger or by a party to proceedings shall be served on the addressee in person against signature.

For certain judicial documents, the law may provide for their transmission by registered post or other means of delivery or service.

**6.1** What type of electronic service within the meaning of Article 19(1) of the Service of Documents Regulation are available in this Member State where service is to be effected directly on a person, who has a known address for service in another Member State?

Both forms of service referred to in Article 19(1) of the Regulation are available, namely the electronic transmission of judicial documents in the following order:

- 1) online, where the addressee has notified the court that they agree to communications with the court being effected online;
- 2) to the email address indicated by the addressee, where the addressee has notified the court that they agree to communications with the court being effected by e-mail;
- 3) to the official electronic address of the addressee.

**6.2** Has this Member State in accordance with Article 19(2) of the Service of Documents Regulation specified additional conditions under which it will accept electronic service via e-mail referred to in Article 19(1)(b) of that Regulation? See also notification under Article 19(2) of the Service of Documents Regulation.

No further conditions have been laid down.

## 7 'Substituted' service

**7.1** Does the law of this Member State allow for other methods of service in cases where it has not been possible to serve the documents to the addressee (e.g. notification to the home address, to the bailiff office, by postal service, or by poster advertising)?

In accordance with Article 56(8) of the [Civil Procedure Law](#), where the person delivering the legal documents does not meet with the addressee in person, they shall serve the documents on any adult family member residing with that person. Where the person delivering the documents does not meet with the addressee in person at their place of work, they shall leave the documents with administration to be passed on to the addressee. In the above-mentioned cases, the person taking delivery of the documents must indicate their first and family names, the time and date of service, their relationship to the addressee or their position, and must pass the documents on to the addressee without delay.

*[Article 59 of the Civil Procedure Law](#). Court summons by publication*

(1) Where the defendant's address could not be ascertained in accordance with Article 54.1 of the Civil Procedure Law, or where the documents could be delivered at the address which was indicated by the party to the proceedings in accordance with Article 54.1(1) of this Law, or where the documents could not be delivered in accordance with Article 56.2 of this Law, the defendant may be summoned to court by means of a publication in the Official Gazette [Latvijas Vēstnesis].

(2) Irrespective of the summons notice in the Official Gazette, plaintiffs shall be entitled to publish the summons in other newspapers at their own expense.

(3) The text of the summons published in a newspaper must correspond to the contents of the summons.

(4) A court may examine a case in the absence of the defendant provided at least one month has elapsed since the day the summons was published in the Official Gazette.

(5) In addition to the defendant's being summoned by means of a publication in the Official Gazette, the summons shall also be served at the location of the defendant's immovable property, where the plaintiff has indicated this.

## 7.2 If other methods are applied, when are the documents deemed to have been served?

Article 56.<sup>1</sup> of the [Civil Procedure Law](#) Date of delivery and service of judicial documents

(1) Where judicial documents have been delivered in accordance with the procedure laid down in Article 56 of this Law, other than in the case referred to in paragraph (9) thereof, a person shall be deemed to have been notified of the time and place of a court hearing or procedural action, or the contents of the relevant document, and judicial documents shall be deemed to have been served:

1) on the date on which the addressee or another person took receipt of them in accordance with Article 56(3), (7) or (8) of the Civil Procedure Law;

2) on the date on which the relevant person refused to take receipt of (Article 57 of the Law);

3) where the documents have been sent by post, on the seventh day from the date of sending;

4) where the documents have been sent electronically, on the third day from the date of sending.

(2) The fact that judicial documents have been delivered to the declared residential address of a natural person, to the additional address indicated in the declaration, to the address indicated by the natural person for correspondence with the court or to the registered office of a legal person, and the fact that notice of service is received from the post office or the documents are returned does not of itself affect the fact that the documents have been notified. The addressee may refute the presumption that documents have been served on the seventh day from the day of sending if sent by post or on the third day from the day of sending if sent electronically by citing objective circumstances beyond their control which prevented them from receiving the documents at the address indicated.

## 7.3 If another method of service is the deposit of the documents in a particular place (e.g. at a post office) how is the addressee informed of that deposit?

Where a judicial document is served by deposit at a post office, written notice to this effect must be left at or sent to the recipient's address. Where this is not possible, the notice shall be affixed to the door of the recipient's home, business premises or place of residence, or served on a person living nearby for onward transmission to the recipient. . The notice must clearly indicate that the document deposited was sent by the court.

## 7.4 If the addressee refuses to accept service of the documents, what are the consequences? Are the documents regarded as effectively served if the refusal wasn't legitimate?

Article 57 of the Law on Civil Procedure Law. Consequences of refusal to accept judicial documents

(1) Where an addressee refuses to accept judicial documents, the person delivering the documents shall

*annotate the document accordingly, specifying the reasons for refusal, the date and the time.*

*(2) Refusal to accept judicial documents shall not constitute a bar to a case being examined.*

## 8 Postal service from abroad (Article 18 of the Service of Documents Regulation)

8.1 If the postal service delivers a document sent from abroad to an addressee in this Member State in a situation where acknowledgment of receipt is required (Article 18 of the Service of Documents Regulation), does the postal service deliver the document only to the addressee himself/herself or may it, in accordance with national rules of postal delivery, deliver the document also to another person at the same address?

Where specifically indicated, service of a document may be effected at the premises of the courts, with the addressee being summoned to appear there.

A document may be served by post if it is sent by registered mail. The consignment shall be served at the post office or by postal delivery staff, and the person indicated as the recipient of the document served, or their authorised representative, must sign for its receipt; proof of identity and power of attorney must also be shown. The party making use of this postal service may also indicate that the item is to be served only in person to the specified individual.

8.2 Under the rules of postal delivery in this Member State how can the service of documents from abroad, under Article 18 of the Service of Documents Regulation, be effected if neither the addressee nor any other person authorised to receive the delivery (if possible under national rules of postal delivery – see above) has been reached at the address of delivery?

If service by registered post is unsuccessful, there is no other way of serving the document by post.

8.3 Does the post office allow a specific period of time for collection of the documents before sending the documents back as undelivered? If yes, how is the addressee informed that there is mail for him to collect at the post office?

The recipient of a document sent by registered post shall be informed by means of a notification sent to the recipient's home address.

The addressee – provided that the postal operator provides for the possibility of informing it of the receipt of the mail by certain electronic means – shall be entitled to request, in accordance with the procedures laid down by the postal operator, that it inform the addressee of the receipt of the postal item by appropriate electronic means. In such a case, the written notice of receipt in paper form need not be delivered to the addressee.

The document shall be kept at the post office for 30 days from the day of receipt. The recipient shall be invited to collect the item from the post office on at least two occasions.

## 9 Is there any written proof that the document has been served?

Where a judicial document is served by post, a note shall be made in the file indicating where and when the document was served, a note to this effect likewise being made on the postal item.

10 What happens if something goes wrong and the addressee does not receive the document or the service is effected in violation of the law (e.g. the document is served on a third person)? Can the service of the

document nevertheless be valid (e.g. can violations of the law be remedied) or must a new effort to serve the document be made?

The court shall contact the foreign country concerned, either directly or via the intermediary of a central authority, and ask it to make a fresh request for service of documents on the basis of the addressee's application.

**11** If the addressee refuses to accept a document based on the language used (Article 12 of the Service of Documents Regulation) and the court or authority seised of the legal proceedings decides upon verification that the refusal was not justified, is there a specific legal remedy to challenge that decision?

The court shall examine the defendant's refusal to accept the document and rule on the merits of the action, setting out its reasons in a decision, which the addressee may appeal against under the general appeal procedure.

**12** Do I have to pay for service of a document, and if so, how much? Is there a difference where the document is to be served under domestic law and where the request for service originates from another Member State? See also notification under Article 15 of the Service of Documents Regulation, concerning service of a document from another Member State.

In Latvia documents are served in accordance with Article 15(2)(a) of the Regulation, for which a fee of EUR 133.33 (including VAT) is payable for each document service request. Payment must be made by bank transfer and any bank commission is to borne by the person paying the flat rate for document service.

Bank account details:

Registration No: 90001497619

Registered Office: Lāčplēša iela 27-32, Riga, LV-1011, Latvia

Bank: Swedbank AS

Account No: LV93HABA0551038096742

SWIFT code: HABALV22

Purpose of payment: Details of the addressee

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