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# Succession

Latvia

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## FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 78 (a) - the names and contact details of the courts or authorities with competence to deal with applications for a declaration of enforceability in accordance with Article 45(1) and with appeals against decisions on such applications in accordance with Article 50(2)

The procedure pertaining to the declaration of enforceability of a judgment provided for in Regulation (EU) No 650/2012 is subject to the provisions of Chapter 77 of the Civil Procedure Law (*Civilprocesa likums*) on the recognition of decisions of foreign courts, insofar as the provisions of the Regulation allow this. The court with jurisdiction to hear applications for a declaration of enforceability in accordance with Article 45(1) is therefore the district or city court (*rajona (pilsētas) tiesa*) of the place where the decision is to be enforced or the declared place of residence of the defendant, or in the absence thereof, the defendant's actual place of residence or registered office (Article 638(1) of the Civil Procedure Law).

A declaration by a court of first instance on the recognition/enforceability of a decision of a foreign court may be contested by the submission of an ancillary complaint to the regional court (*apgabaltiesa*), and the regional court's decision may be contested by the submission of an ancillary complaint to the Supreme Court (Article 641(1) of the Civil Procedure Law).

A list of district or city courts and regional courts can be found here: <https://tiesas.lv/tiesas/saraksts>

Article 78 (b) - the procedures to contest the decision given on appeal referred to in Article 51

A declaration by a court of first instance on the recognition/enforceability of a decision of a foreign court may be contested by the submission of an ancillary complaint to the regional court (*apgabaltiesa*), and the regional court's decision may be contested by the submission of an ancillary complaint to the Supreme Court (Article 641(1) of the Civil Procedure Law).

A party to the case whose declared place of residence is in Latvia or, in the absence thereof, whose actual place of residence or registered office is in Latvia, may submit an ancillary complaint within 30 days of receipt of a copy of the decision; a party to the case whose declared place of residence or actual place of residence or registered office is not in Latvia may submit an ancillary complaint within 60 days of receipt of a copy of the decision (Article 641(2) of the Civil Procedure Law).

Other issues relating to the submission and processing of an ancillary complaint are laid down in Chapter 55 of the Civil Procedure Law.

A list of Latvian courts can be found here: [National Courts Portal](#)

## Article 78 (c) - the relevant information regarding the authorities competent to issue the Certificate pursuant to Article 64

Provided Latvia has jurisdiction in a cross-border succession under Articles 4, 7, 10 and 11 of Regulation (EU) No [650/2012](#), a European certificate of succession may be issued by a sworn notary (*zvērīnāts notārs*).

A list of notaries can be found here: [Homepage of Latvian sworn notaries](#)

## Article 78 (d) - the redress procedures referred to in Article 72

At the request of an interested party the sworn notary who drew up the European certificate of succession may rectify, modify or withdraw the certificate in accordance with Article 71 of Regulation (EU) No [650/2012](#), and may also suspend the effects of the certificate in accordance with Article 73 of the Regulation.

To do so the notary must draw up a notarial deed (*notariāls akts*) rectifying, modifying, withdrawing or suspending the certificate, and without delay inform all persons to whom certified copies of the certificate or extracts from the certificate have been issued.

## Article 79 - Establishment and subsequent amendment of the list containing the information referred to in Article 3(2)

In accordance with Article 3(2) of Regulation (EU) No 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession and Article 324.<sup>1</sup> of the Law on notaries (*Notariāta likums*), a notary dealing with a case of cross-border succession shall apply the provisions of the Law on notaries insofar as the European Union law that is directly applicable in Latvia allows this.

An application for succession (*mantošanas iesniegums*) must be submitted to a sworn notary as referred to in Article 252 of the Law on notaries, but if the deceased person's last declared place of residence or the location of the estate or the greater part of it is not known, the application may be submitted to any sworn notary.

The procedure pertaining to the declaration of the enforceability of a judgment is the responsibility of the district or city court.

A list of sworn notaries can be found here: [Homepage of the Latvian Council for Sworn Notaries](#).

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