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Which court will hear my case?

Your case will be heard by the court in the area where the crime was committed. In Lithuania, a court of first instance will be either a district or a regional court. Your criminal case will most likely be heard by a district court.

In certain cases, for example, when the crime is punishable by imprisonment for more than six years, the case will be heard by a regional court at first instance.

In Lithuania, there is no jury. Cases are decided by a judge or a panel of judges. A case heard at a court of first instance will be decided by a panel only where the crime committed is punishable by life imprisonment or the accused person is a senior official. Thus, it is normally one judge who hears a criminal case.

Will my trial be in public?

A court trial is normally held in public. But a trial may be held in private if

- the accused person is a minor;
- where the case is related to sexual crime;
- when it is necessary to ensure that the information about the private life of the participants of the procedure is not disclosed to the public;
- when it is necessary to protect either a State, professional or commercial secret.

The court decides whether a trial should be held in private.

Can the charges be changed during the trial?

Charges may be changed during the trial. However you cannot be sentenced for a more serious crime unless you have been told that the charges are being changed. If the charges are changed during the trial, you, or your lawyer, have the right to ask for the trial to be adjourned in order to prepare your defence against the new charges.

What happens if I plead guilty?

After the prosecutor reads the bill of indictment, the judge will ask you whether you understand the charges against you, and whether you plead guilty or not guilty.

If you plead guilty and are willing to testify immediately, and there is no doubt about the circumstances of the crime, no other evidence will be considered. You must agree to this. The content of all the material (evidence) that has been collected will be read out. This is not possible if you are charged with a crime punishable by a term of imprisonment of more than six years.

Can the trial be held without my participation?

You are obliged to participate in the court hearing of the criminal case. A hearing can be held without you only if you are not in the territory of the Republic of Lithuania and try to avoid appearing at the court.

If you do not come to the hearing without good reason, you may be brought to court by the police. You may ask to

be allowed not to be present at a part of the hearing only if other people are also accused in the case and the evidence which is being examined is not connected with you.

You will not be allowed to participate in the trial by a video link; you will have to appear before the court in person.

What can I do if I don't understand the language of the proceedings?

If you don't understand the language of the proceedings, an interpreter will be appointed for you, and the documents will be translated into the language you understand. You don't have to answer any questions or sign any documents if you don't understand what you are asked or what you are requested to sign.

Can I meet with a lawyer?

[Getting legal advice](#)

Do I have to testify?

During the trial, you do not have to speak or answer any questions – or you may answer just some of the questions. You have the right rather than a duty to give explanations about the circumstances of the case. You have the right to give explanations not only about the circumstances of the case, but also about the petitions submitted by the other participants in the trial.

You do not have to testify against yourself. If you testify about the crime which you are charged with, you cannot be punished for not telling the truth.

Can I challenge the evidence that is produced against me and produce new evidence?

A court trial is an adversarial process. You have the same rights as the prosecution to produce evidence during the trial, submit requests, participate in the examination of the evidence, challenge the arguments of the other party and express your opinion about all of the questions which might arise in the trial and could be significant for a fair resolution of the case.

You have the right to put proposals to the court about how the case should be resolved, criticise proposals made by the prosecution, produce additional evidence to the court or request the court to obtain evidence from other organisations, ask questions of the participants in the proceedings and witnesses, make requests for any officials to be removed from the proceedings, appeal against the decisions of the court, and so on.

You will be able to ask questions and challenge the evidence during the court hearing. You, or your lawyer, may also question the witnesses during the trial.

You can request the court to call all the witnesses you want. When you make the request, you must indicate why the witness's statement could be important for the case. You may also supply any things or documents which might be important for the investigation and examination of the crime.

You can ask a private detective to obtain evidence on your behalf. This sort of evidence does not have any special status and must comply with the normal rules of procedure.

Will information about my criminal record be taken into account?

Your criminal record will be taken into account when the decision is made. Your previous convictions may help the court to form an opinion about your personality. This information will be used when a decision is made about a measure of remand or when imposing a penalty.

If you have previous convictions which have not expired, the court may impose a more serious sentence on you than if you had no previous convictions.

Previous convictions in a foreign State will not be taken into account. In Lithuania, a person is considered as having a criminal record only if the judgment was made by a court of the Republic of Lithuania and it was enforced.

What happens at the end of the trial?

A trial ends when the court passes a judgment by which you can be found guilty, not guilty, or the case can be dismissed.

If you are convicted, one of the following penalties may be applied:

- imprisonment – a custodial sentence served in approved places like houses of correction or prisons. The maximum period of imprisonment is 20 years or for life;
- arrest – a short-term imprisonment served in a short-term detention facility. The maximum length of arrest is 90 days;
- restriction of liberty – during the period for which your liberty is restricted, you will not be able to change your place of residence. The court may also order you not to visit certain places or communicate with certain persons. You may also be ordered to be at home at a certain time, to make compensation for damages or to comply with other similar requirements;
- fine – a financial penalty, the amount of which is determined by the court;
- community service order – you can only be required to undertake community service if you agree.

What is the role of the victim during the trial?

A victim has the right to demand that the person who committed the crime is identified and justly punished. A victim may participate actively in the process but is not required to do so. The victim can produce evidence, submit petitions, and so on. A victim may also demand compensation for the damage suffered.

Related links

[Code of Criminal Procedure \(in Lithuanian\)](#)

[National Courts Administration](#)

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