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Latvian

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Costs

Latvia

In this case study on family law (custody of children), Member States were asked to advise the suing party on litigation fees in the following situations: Case A. National scenario: two persons have lived together unmarried for a number of years. Their child is three years old when they decide to separate. A court decision grants custody of the child to the mother and access rights to the father. The mother sues to limit the father's access rights. Case B. International scenario where you are an advocate in Member State A: two persons have lived together unmarried in Member State B for a number of years. They have a child together but separate immediately after the child's birth. A court in Member State B grants custody of the child to the mother and access rights to the father. The mother and the child move to live in another Member State (Member State A) as authorised by the court, and the father remains in Member State B. A few years later, the mother sues in Member State A to change the father's access rights.

Fees in Latvia

Court and appeal fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fees	Other fees	Fee for submitting application to court	Clerical fees	Other fees
A	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Advocate, bailiff and expert fees

Case	Advocate		Bailiff		
	Is representation compulsory?	Average fees	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	No. Natural persons may represent themselves in court or be represented by an authorised party.	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.	No.	Not applicable.	Fees for the services of a bailiff are only incurred where one of the parties fails to observe the access arrangements ordered by the court and one of the parties has to initiate enforcement of the court order: 1) the State fee for submitting a written enforcement order is LVL 2 (payable by the claimant); 2) the remuneration for a certified bailiff is LVL 93.70 (covered by the defaulting party); 3) other fees relating to the enforcement of a judgment (covered by the defaulting party).
B	No. Natural persons may represent themselves in court or be represented by an authorised party	Individuals work with a certified advocate on the basis of an agreement. N.B. fees relating to an advocate's legal assistance in civil proceedings may be recovered from the unsuccessful party at a	No.	Not applicable.	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2 (payable by the claimant); 2) the remuneration for a certified bailiff is

		rate of no more than 5 % of the part of the claim that is allowed or, in non-material claims, at the standard rate for advocates.			LVL 93.70 (covered by the defaulting party); 3) other fees relating to the enforcement of a judgment (covered by the defaulting party).
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Case	Expert				
	Is use compulsory?		Fees		
A	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.		In accordance with Cabinet regulations.		
B	A court orders an expert examination where this is requested by one of the parties and where clarification of facts relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.		In accordance with Cabinet regulations.		

Fees for witness compensation, pledges or security and other relevant fees

Case	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
A	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If a person has reason to believe that the submission of necessary evidence on their behalf may be rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	LVL 20 (if the application is submitted prior to bringing the case).
B	Yes. If none of the parties is exempted from paying court fees, they agree on the amount to be paid to a witness, based on the calculation procedure, this being incremented by administrative expenses. The exception is where the law states that the court has an obligation to gather and obtain evidence.	The following are compensated in accordance with Cabinet regulations: 1) travel expenses; 2) accommodation; 3) average earnings.	If a person has reason to believe that the submission of necessary evidence on their behalf may be rendered impossible or hampered at a later stage, they may ask for this evidence to be secured.	LVL 20 (if the application is submitted prior to bringing the case).

Reimbursement of fees

Case	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary basis, at the request of the plaintiff his or her fees are recovered by means of a court order.
B	Yes. The party in whose favour a judgment is made may recover all the court fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to part of the claim that has been met. The defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	Where the plaintiff discontinues an action, he or she must reimburse court fees incurred by the defendant. Where this happens, the defendant does not reimburse the court fees paid by the plaintiff. However, following submission of the application, if the plaintiff withdraws his or her claim because it has been met by the defendant on a voluntary

			basis, at the request of the plaintiff his or her fees are recovered by means of a court order.			
Translation and interpretation fees						
Case	Translation		Interpretation		Other fees specific to cross-border disputes	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees	Description	Approximate fees
A	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Translation is provided by the court.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.
B	Court proceedings are conducted in the official State language. The court honours the rights of parties (other than representatives of legal persons) who do not have a command of the language used in court proceedings. This means allowing case material to be examined and enabling participation in court hearings using an interpreter's services.	Translation is provided by the court. Where evidence is gathered abroad the actual translation fee must be covered.	The court may decide to explain its judgment without changing its substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	Not applicable.	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	Not determined.

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