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Latvian

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## Costs

### Latvia

In this case study on commercial law (contract), Member States were asked to advise the seller on litigation fees in the following situations. Case A. National scenario: a company has delivered EUR 20 000 worth of goods. The seller has not been paid because the buyer does not believe the goods comply with the terms of the contract. The seller decides to sue to obtain full payment for the goods. Case B. International scenario: a company whose head offices are located in Member State B has delivered EUR 20 000 worth of goods to a buyer in Member State A. The contract is subject to the laws of Member State B and is drawn up in the language of Member State B. The seller has not been paid because the buyer, who is located in Member State A, does not believe the goods comply with the terms of the contract. The seller decides to sue in Member State A in order to obtain full payment for the goods.

### Fees in Latvia

#### Court, appeal and alternative dispute resolution fees

Case study	Court			Appeal		
	Fee for submitting application to court	Clerical fee	Other fees	Fee for submitting application to court	Clerical fee	Other fees
A	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 394.90	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.

Case study	Alternative dispute resolution	
	Can this be used in this specific case?	Fees
A	Parties may agree that the dispute be submitted to a court of arbitration.	Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.
B	Parties may agree that the dispute be submitted to a court of arbitration.	Court of arbitration fees and/or fees associated with examination of the dispute and arbitrator's fee. The fees associated with the arbitration court proceedings, along with the payment deadline and procedure, are determined by the court of arbitration depending on the amount of the claim, the complexity of the dispute and the terms of the court of arbitration's agreement.

#### Advocate, bailiff and expert fees

Case study	Advocate		Bailiff		
	Is representation compulsory?	Average fees	Is representation compulsory?	Pre-judgment fees	Post-judgment fees
A	Legal entities may be represented in court by professionals acting in accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a 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.	Where a decision is reached about securing the claim: 1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2) for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.

<b>B</b>	Legal entities may be represented in court by professionals acting in accordance with the law, by representatives provided for in the statutes or articles of association of those legal entities, or by other authorised representatives.	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a 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.	Where a decision is reached about securing the claim: 1) for securing of a claim by seizure of funds from credit institutions or third parties: LVL 46.90; 2 for securing of a claim by ordering the defendant to desist from the activity in question: LVL 26.	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) the remuneration for a certified bailiff depends on the amount of the debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.
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Case study	Expert	
	Is use compulsory?	Fees
<b>A</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.
<b>B</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 study	Witness compensation		Pledges or security	
	Are witnesses compensated?	Fees	Do these exist and when and how are they used?	Fees
<b>A</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 there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.
<b>B</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 there is reason to believe that enforcement of a court judgment might subsequently be hampered or rendered impossible, the court or judge may, on reasoned request of the applicant, make a decision on securing the claim.	0.5 % of the sum of the claim, where an application is made to secure the claim, but no less than LVL 50.

#### Fees for legal aid and other reimbursement

Case study	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?
<b>A</b>	Yes The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the 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 the 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>B</b>	Yes. The party in whose favour a court judgment is made may recover all the fees incurred from the other party.	Where a claim is met in part, the plaintiff's fees are reimbursed in proportion to the 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 the 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.
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Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	Approximate fees
<b>A</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.	No fixed fees set, fee agreed upon.	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 yet expired.	Not applicable.
<b>B</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.	No fixed fees set, fee agreed upon.	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 yet expired.	Not applicable.

#### Translation and interpretation fees

Case study	Other fees relating to disputes?	
	Description	Approximate fees
<b>A</b>	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>B</b>	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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