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Find an expert

Latvia

I. Lists and registers of experts

A legal expert is a person who has specialist knowledge and experience in a given area of science, technology, or the arts and crafts, and who has acquired the right to provide legal expertise in accordance with the procedure laid down in the Law on legal experts (Tiesu ekspertu likums).

The duties of legal expert are carried out by a State legal expert or by a private legal expert recognized by the State who acquires the right to practise as a legal expert in a given field of expertise after obtaining a legal expert's certificate issued by the Board of Legal Experts.

The register of legal experts is a public register which contains information on certified legal experts working in Latvia. The register of legal experts is run by the Council of legal experts. The register of legal experts can be consulted at: <https://eksperti.ta.gov.lv/>

II. Expert qualifications

The minimum requirements for the award of status of legal expert are based on the Law on legal experts.

An examination may be sat by a legal expert candidate who has completed a teaching programme approved by the Council in a chosen field of legal expertise, or by a legal expert wishing to acquire the right to carry out the work of legal expert in another field of legal expertise.

The legal expert certificate is valid for five years.

III. Remuneration of experts

The remuneration of experts is set in accordance with the schedules of services subject to fees as issued by institutes of legal experts. Expert examinations that are not included in the schedule of services subject to fees as issued by institutes of legal experts are remunerated in accordance with the invoice submitted by the legal expert.

IV. Liability of experts

The liability of experts is laid down in chapter V of the Law on legal experts.

The Council of legal experts initiates disciplinary proceedings against a legal expert in the event of failure to comply with the laws and regulations relating to the activities of legal experts, failure to discharge professional duties or serious negligence in the course of an expert examination, misrepresentation or the unlawful use of office, as well as improper and disrespectful treatment or violation of the ethical rules of legal experts; in the event of the loss of or malicious damage to an object submitted for expert examination, or in the event of the findings of an expert examination being disclosed to persons not involved in ordering or carrying out an expert examination.

Upon receipt of a legal expert certificate, a legal expert confirms by signature that they have been warned that an unjustified refusal to carry out an expert examination or the submission of a deliberately false expert opinion will render them liable under the Criminal Law.

V. Additional information on procedural arrangements relating to legal experts

Provisions on procedural arrangements relating to experts in Latvia can be found in the following items of legislation:

The Law on criminal procedure

The Law on civil procedure

The Law on administrative procedure

The Law on legal experts

V.1. Appointment of experts

In civil proceedings, a court orders an expert examination at the request of the parties to the proceedings. An expert examination is carried out by the persons referred to in the Law on legal experts. The expert is selected by mutual agreement of the parties or, where no agreement is reached by the deadline set by the court, by the court. If necessary, several experts may be selected.

In criminal proceedings, the decision to order an expert examination is taken by the officer conducting proceedings. An expert examination is ordered to clarify the facts and circumstances relevant to the criminal proceedings on which an expert opinion is sought.

V.2. Expert opinion

An expert opinion must be reasoned and justified. An expert gives an objective opinion in their name, and they are personally responsible for it.

The opinion is given in writing and is submitted to the court. The expert opinion must contain a precise description of the investigations carried out, the conclusions reached and reasoned replies to the questions raised by the court. If during the course of an expert investigation the experts identify circumstances which are relevant to the case but about which they have not been asked questions, they are entitled to make reference to those circumstances in their opinion.

If several experts are selected, they are entitled to confer with one another. If the experts reach a joint opinion, it is signed off by all of them. If the experts do not concur in their views, each expert signs a separate opinion.

The court assesses the expert opinion in accordance with its own convictions, no evidence, including an expert opinion, having any predetermined force that might sway the court.

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