

Cross-border family mediation - Latvia



In order to facilitate the application of alternative means of dispute resolution, the Republic of Latvia has adopted the Mediation Law (in effect since 18 June 2014).

The model of mediation recommended by the court in civil proceedings came into effect on 1 January 2015. Judges are assigned the obligation to offer the parties the option of mediation to resolve the dispute at different stages of the proceedings (after commencement of a case, when preparing a case for trial and at the preliminary case hearing, and also during legal proceedings, until the examination on the merits is completed).

Several projects have been implemented to promote mediation as a way of resolving disputes:

1. Free mediation consultations known as 'mediation tables', offered in courts by the Council of Certified Mediators (available for family disputes, but not limited to them)

Since 15 September 2016, the Ministry of Justice along with the Council of Certified Mediators have been implementing a pilot project where anyone who has applied for resolution of a civil dispute in court has the opportunity to receive a certified mediator's consultation for one hour free of charge. Court-recommended free consultations by certified mediators are available at several courts in Riga and all over Latvia. Under the scope of the project, during the certified mediator's consultation, the participants of a case are informed about the substance, procedure and conditions of the mediation process, and an assessment is made of the possibility of resolving the specific dispute through mediation.

2. Project – Free mediation in family disputes

Since 1 January 2017, individuals can receive state-provided support within a state budget program – the opportunity to attend five free sessions with a certified mediator to resolve disagreements between parents that affect children's interests and find ways to improve relations between family members. Within the framework of the project, state support provides for the first five mediation sessions (60 minutes each) managed by a certified mediator, which are free of charge for the parties. If the dispute is not resolved within five sessions, the cost of further services should be covered by the parties. A certified mediator or the Council of Certified Mediators should be consulted to assess a person's eligibility. Information on the project is made available to persons concerned via courts, and is transferred to municipalities, social services, family courts, etc.

The project is intended to provide assistance to 300 couples, allowing parents with children to solve both family disputes and disagreements that are being examined in court, and also those that have not yet been taken to court. In particular, the project seeks to support marriages, or at least resolve disagreements in such a way as allows the maintaining of respect between the child's parents, and ensures that they retain the ability to subsequently communicate with each other in order to jointly agree on various matters relating to the child's daily care, upbringing and education.

The list of certified mediators engaged in the project is available at: <http://sertificetimediatori.lv/>

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