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letton

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Coûts

Lettonie

La présente partie fournit des informations sur les frais judiciaires en Lettonie. Les études de cas suivantes vous donneront une idée plus précise du coût des procédures: Droit de la famille - Divorce Droit de la famille – Garde des enfants Droit de la famille – Pension alimentaire Droit commercial – Contrat Droit commercial – Responsabilité

Cadre réglementaire régissant les honoraires des professions juridiques

1. Huissiers de justice (*tiesu izpildītāji*)

Les honoraires des huissiers de justice sont déterminés selon les [tarifs de rémunération](#) officiels. Il est interdit de convenir d'un tarif différent de celui fixé par la loi.

2. Avocats (*zvērināti advokāti*)

En Lettonie, en dehors de l'aide juridictionnelle, les honoraires des **avocats** ne sont pas fixés par la loi mais par convention avec le client.

L'article 57 de la [loi régissant la profession d'avocat](#) impose de conclure une convention écrite avec le client au sujet du mandat de représentation et de la rémunération y afférente.

En l'absence d'accord écrit, et en cas de litige, le montant dû pour les honoraires et débours d'avocat peut être établi au double du montant prévu par la loi relative à l'aide juridictionnelle, dans les limites qu'elle prescrit.

L'article 12 de la [loi régissant la profession d'avocat](#) dispose que, dans les cas prévus par la loi, l'État supporte les frais de l'aide juridictionnelle assurée par l'avocat et les autres frais afférents. En conséquence, dans les cas prévus (en matière civile, administrative et pénale) par la législation régissant l'aide juridictionnelle ([loi relative à l'aide juridictionnelle](#) et [code de procédure pénale](#)), l'État prend en charge les frais de cette aide juridictionnelle.

Les honoraires et frais réglés par le service d'aide juridictionnelle aux auxiliaires de justice relèvent du [règlement n° 1493 du Conseil des ministres du 22 décembre 2009 intitulé «Règlement déterminant l'étendue de l'aide juridictionnelle, le montant des honoraires, les frais remboursables et la procédure de paiement»](#)

. Il définit la rémunération fixe (montant ou taux horaire) réglée par l'État, conformément à la procédure établie, aux avocats assurant l'aide juridictionnelle.

Voir également les réponses ci-dessous.

Frais fixes

Frais fixes dans les procédures civiles

Frais fixes supportés par les parties à une procédure civile

Les frais fixes des parties comprennent les droits et taxes (*valsts nodevas*), la taxe de greffe (*kancelejas nodeva*) et les autres dépens d'instance (*ar lietas izskatīšanu saistītie izdevumi*).

Stade de la procédure civile auquel les frais fixes doivent être acquittés

L'acte introductif d'instance doit être accompagné des documents attestant le paiement des droits et taxes et des autres dépens conformément aux procédures établies par la loi.

Les droits et taxes relatifs aux formalités judiciaires (*valsts nodeva*) et la taxe de greffe (*kancelejas nodeva*) doivent être réglés à l'autorité judiciaire sur le compte du trésor public (*Valsts kase*), dont les coordonnées sont les suivantes:

nom du bénéficiaire: Valsts kase

n° d'identification fiscal: 90000050138

compte bénéficiaire n°: LV55TREL1060190911200

nom de la banque du bénéficiaire: Valsts kase

code BIC: TRELLV22

objet du paiement: indiquer les informations permettant d'identifier l'affaire.

Les autres dépens d'instance doivent être payés avant l'examen de l'affaire.

Les sommes dues aux témoins et aux experts (pour effectuer des contrôles ou interroger les témoins sur place) ainsi que les frais de notification et d'assignation, de publication d'avis dans les journaux et de garantie de créance doivent être payés avant l'examen de l'affaire par la partie qui en a fait la demande.

Doivent être payés par la partie à l'origine de la demande, avant l'examen de l'affaire:

les sommes dues aux témoins et aux experts;

les frais d'interrogatoire des témoins ou de contrôle sur place;

les frais de rédaction et de notification des assignations;

les frais liés à la recherche du défendeur;

les frais de publication d'avis dans les journaux;

les frais de garantie de créance.

Les dépens d'instance devant les tribunaux de district/ville (*rajona/pilsētas tiesa*) ou les tribunaux régionaux (*apgabaltiesa*) doivent être payés sur le compte de l'Administration des cours et tribunaux (*Tiesu administrācija*), dont les coordonnées sont les suivantes:

nom du bénéficiaire: Tiesu administrācija

compte bénéficiaire n°: LV51TREL2190458019000

n° d'identification fiscal: 90001672316

nom de la banque du bénéficiaire: Valsts kase

code BIC: TRELLV22

autres détails de paiement à mentionner: **21499** (numéro d'identification de la catégorie de paiement) ainsi que les autres informations nécessaires pour identifier l'affaire, par exemple, numéro de l'affaire, nom et prénom du défendeur, s'il s'agit d'une personne physique, ou dénomination de la personne morale.

Frais fixes dans les procédures pénales

Frais fixes supportés par les parties à une procédure pénale

Les procédures pénales sont exemptes de frais fixes en Lettonie: le [code de procédure pénale](#) ne prévoit aucun frais en la matière. Son article 8 (dispositions transitoires) précise que les actions civiles engagées dans le cadre de procédures pénales avant l'entrée en vigueur de la loi doivent désormais être traitées comme des demandes d'indemnisation. Lorsque la partie civile n'est pas la victime, ou lorsque le défendeur à l'action civile n'est pas la personne poursuivie au pénal, l'action civile est soumise au [code de procédure civile](#). Un mois après l'entrée en vigueur de la loi, le dirigeant de la procédure (*procesa virzītājs*) en informe les parties.

Stade de la procédure pénale auquel les frais fixes doivent être acquittés

La réponse précédente sur les frais fixes supportés par les parties à une procédure pénale vaut également dans ce cas précis.

Frais fixes dans les procédures constitutionnelles

Frais fixes supportés par les parties à une procédure constitutionnelle

Aucun frais n'est dû à aucun stade d'une procédure constitutionnelle.

Stade de la procédure constitutionnelle auquel les frais fixes doivent être acquittés

Aucun frais n'est dû à aucun stade d'une procédure constitutionnelle.

Informations préalables que doivent fournir les représentants légaux

Droits et obligations des parties

L'article 2.2 du [code letton de déontologie des avocats](#) leur fait obligation de donner leur avis de façon professionnelle et ouverte sur l'affaire exposée par le client et de fournir tous les conseils juridiques appropriés. L'article 3.1 du code mentionne en outre que les avocats ne doivent pas travailler sur des affaires traitant de questions pour lesquelles ils ne sont pas compétents ou ne peuvent remplir correctement leur mission. En conséquence, avant d'accepter une affaire, l'avocat doit prendre connaissance de ses éléments et circonstances, et émettre un avis à son sujet. Enfin, la [loi régissant la profession d'avocat](#) impose à ce dernier, par exemple, d'appliquer tous les moyens et méthodes prévus par la loi, lorsqu'il défend et représente les droits et intérêts légitimes des personnes demandant l'aide juridictionnelle.

S'informer sur les frais de justice

Où trouver des informations sur les frais de justice en Lettonie?

Vous pouvez trouver des informations sur les frais de justice dans la loi et dans les règlements pris par le Conseil des ministres, sur le web, et dans les brochures d'information disponibles dans les tribunaux.

Dans quelles langues obtenir ces informations?

Des informations sur les frais de justice (sans indication des montants) à régler lors de l'introduction d'une instance sont fournies dans toutes les langues officielles de l'UE sur le site internet du [Réseau judiciaire européen en matière civile et commerciale](#) (voir la partie «Saisine des tribunaux»).

Où trouver des informations concernant la médiation?

Des informations sur la médiation sont disponibles (en letton) sur le site web [Mediācija.lv](#).

Où trouver des informations complémentaires sur les frais?

Site web fournissant des informations sur les frais

Des informations sur les frais sont disponibles (en letton) sur le [portail des juridictions nationales](#).

Autre source d'informations, le site officiel du [ministère de la justice de la République de Lettonie](#), où vous trouverez des renseignements (en letton et en anglais) sur les juridictions, les procédures judiciaires, les décisions des tribunaux administratifs, les jugements d'autres juridictions et d'autres informations diverses.

Où trouver des informations sur la durée moyenne des différentes procédures?

Des informations sur la durée des procédures figurent dans les rapports statistiques sur le travail des juridictions, disponibles sur le site internet du [système d'information des juridictions](#) (*Tiesu informācijas sistēma*).

Où trouver des informations sur le coût global moyen d'une procédure particulière?

Aucune information n'est disponible sur le coût global moyen d'une procédure particulière.

Taxe sur la valeur ajoutée

Où trouver des informations à ce sujet?

Les droits et taxes et les autres dépens d'instance sont exonérés de TVA.

Quels sont les taux applicables?

Les droits et taxes et les autres dépens d'instance sont exonérés de TVA.

Aide juridictionnelle

Plafond de revenus applicable dans les procédures civiles

En vertu de la [loi sur l'aide juridictionnelle](#), l'État octroie l'**aide juridictionnelle** aux **personnes**:

auxquelles est reconnu le statut de personne à faibles revenus ou d'indigent, conformément aux dispositions légales régissant l'attribution de ce statut aux personnes physiques;

qui se trouvent soudainement dans une situation et des conditions matérielles qui les empêchent de défendre leurs droits (catastrophe naturelle, cas de force majeure ou autres circonstances indépendantes de leur volonté);

qui sont intégralement à la charge de l'État ou des autorités locales.

Dans les cas où, compte tenu de leur situation personnelle ou de leur situation patrimoniale et du niveau de leurs revenus, des personnes ne sont pas en mesure d'assurer la défense de leurs droits, l'**aide juridictionnelle** est également accordée aux **personnes**:

qui, en vertu d'obligations internationales liant la Lettonie, ont droit à bénéficier de l'aide juridictionnelle assurée par cet État;

dont le lieu de résidence habituelle ou le domicile est situé dans un État membre de l'Union européenne (litiges transfrontaliers).

L'aide juridictionnelle est également octroyée pour les **affaires administratives** (procédures d'appel en matière d'asile ou contre les décisions ordonnant le retour ou contre les décisions relatives aux recours contre un ordre d'expulsion).

Les demandes d'aide juridictionnelle sont étudiées par le [Service de l'aide juridictionnelle](#) (*Juridiskās palīdzības administrācija*), qui statue et informe les demandeurs de sa décision.

Plafond de revenus applicable aux défendeurs dans les procédures pénales

En vertu des articles 17 à 19 de la [loi sur l'aide juridictionnelle](#), les personnes qui ont droit à une défense dans une procédure pénale peuvent soumettre une demande d'aide juridictionnelle avant que la décision finale de la juridiction ne soit exécutoire. En matière pénale, l'aide juridictionnelle comprend la consultation, l'assistance à la rédaction des documents de procédure et la représentation avant et pendant les audiences. Dans certains cas prévus par le [code de procédure pénale](#), l'État désigne un avocat pour défendre la personne poursuivie.

L'article 20 du [code de procédure pénale](#) prévoit que toute personne soupçonnée ou accusée d'avoir commis une infraction a droit à une défense, c'est-à-dire le droit de savoir de quelle infraction elle est soupçonnée ou accusée et le droit de choisir la manière dont sa défense sera assurée. Ces personnes peuvent exercer ce droit en leur nom propre ou en nommant une personne de leur choix pour les représenter. Il peut s'agir d'un avocat (*zvērīnāts advokāts*). La loi précise les cas dans lesquels la représentation par un avocat est obligatoire. Si la personne poursuivie ne dispose pas des moyens financiers nécessaires pour engager un avocat et si elle n'a pas conclu d'accord avec un avocat disposé à assurer sa défense, l'État intervient et ordonne le paiement des frais de défense sur les deniers publics en déterminant quelle proportion de cette somme, le cas échéant, le prévenu ou l'accusé doit prendre à sa charge.

Conformément à l'article 80 du [code de procédure pénale](#), la personne poursuivie peut conclure elle-même un accord avec un avocat, ou un tiers peut le faire en son nom. Le dirigeant de la procédure (*procesa virzītājs*) ne peut conclure un tel accord ni désigner un avocat en particulier, mais il doit fournir les informations nécessaires à la personne poursuivie et lui donner la possibilité de contacter un avocat. Si la personne poursuivie n'a pas conclu d'accord de ce type dans une affaire où la représentation par un avocat est obligatoire, ou si elle souhaite être représentée, le dirigeant de la procédure demande au doyen des avocats de désigner un de ses membres. Dans un délai de trois jours ouvrables après la réception de la demande du dirigeant de la procédure, le doyen communique à ce dernier le nom de l'avocat désigné pour assurer la représentation.

L'article 81 du [code de procédure pénale](#) mentionne qu'en l'absence d'accord sur la défense, ou si l'avocat avec lequel l'accord est conclu n'est pas en mesure d'assister à différentes étapes de la procédure, le dirigeant de la procédure choisit un avocat pour assurer la défense à chaque étape (mesures d'enquête concernant la personne poursuivie) sur la liste des permanences établie par le doyen des avocats pour le ressort du tribunal.

En outre, l'article 84, paragraphe 2, du [code de procédure pénale](#) prévoit que, lorsque la personne n'a pas conclu d'accord pour sa défense, le montant et la procédure de paiement des honoraires et débours de l'avocat assurant l'aide juridictionnelle qui sont liés à cette dernière sont fixés par décision du Conseil des ministres (voir le

[règlement n° 1493 du Conseil des ministres du 22 décembre 2009 intitulé «Règlement déterminant l'étendue de l'aide juridictionnelle, le montant des honoraires, les frais remboursables et la procédure de paiement»](#)).

Plafond de revenus applicable aux victimes dans les procédures pénales

Dans les procédures pénales, l'aide juridictionnelle (c'est-à-dire un avocat) est octroyée pour représenter la victime, selon les modalités et dans les cas précisés par le [code de procédure pénale](#).

En outre, en vertu de l'article 104, paragraphe 5, du [code de procédure pénale](#), le dirigeant de la procédure pénale (*kriminālprocesa virzītājs*) peut décider de désigner un avocat pour représenter un mineur dans les cas suivants:

la protection des droits et intérêts du mineur est compromise ou elle n'est pas garantie pour un autre motif;

sur demande motivée du représentant de la famille du mineur (mère, père ou tuteur, grand-parent, frère ou sœur adulte) avec lequel le mineur vit et qui en a la garde, ou du représentant d'une institution de protection des droits de l'enfance ou du représentant d'une organisation non gouvernementale assurant la protection des droits de l'enfance.

À titre exceptionnel, s'il n'est pas possible d'assurer autrement la protection des droits et intérêts de la personne dans le cadre de la procédure pénale, le dirigeant de la procédure peut décider de désigner un avocat pour représenter des victimes adultes disposant de faibles revenus ou indigentes. Dans ce cas, le montant et la procédure de paiement des honoraires d'avocat sont fixés par le Conseil des ministres (

[règlement n° 1493 du Conseil des ministres du 22 décembre 2009 intitulé «Règlement déterminant l'étendue de l'aide juridictionnelle, le montant des honoraires, les frais remboursables et la procédure de paiement»](#)).

Dans ces situations, l'État accorde l'aide juridictionnelle aux personnes reconnues comme victimes (assistance à la rédaction des documents de procédure et représentation avant et pendant l'audience).

Autres conditions d'octroi de l'aide juridictionnelle aux victimes

Voir les informations ci-dessus relatives au plafond de revenus applicable aux victimes dans les procédures pénales.

Autres conditions d'octroi de l'aide juridictionnelle aux défendeurs

Voir les informations ci-dessus relatives au plafond de revenus applicable aux défendeurs dans les procédures pénales.

Cas d'exemption de frais de procédure

Les personnes suivantes sont exonérées du paiement des dépens:

les demandeurs, dans le cadre de recours d'employés visant le paiement de la rémunération du travail et d'autres actions résultant de la relation de travail ou y étant liées;

les demandeurs, dans les actions liées à un contrat relatif à l'exécution d'un travail, si le demandeur purge une peine de prison;

les demandeurs, dans les actions civiles consécutives à des dommages corporels entraînant la mutilation ou d'autres atteintes à la santé, ou le décès;

les demandeurs, dans les actions en recouvrement de pension alimentaire en faveur d'un enfant ou d'un parent, ainsi que dans les actions en recherche de paternité, si l'action est engagée simultanément à une action en recouvrement de pension alimentaire en faveur d'un enfant;

les demandeurs, en cas de demande de reconnaissance, ou de reconnaissance et d'exécution, d'une décision étrangère relative au recouvrement d'une pension alimentaire en faveur d'un enfant ou d'un parent;

les demandeurs, dans le cadre de demandes d'indemnisation de préjudices matériels et du préjudice moral résultant d'infractions pénales;

les procureurs, les pouvoirs publics locaux ou nationaux et les personnes habilitées par la loi à défendre en justice les droits et les intérêts légalement protégés d'autres personnes;

les demandeurs, dans les actions visant à faire reconnaître l'incapacité juridique et à établir une tutelle;

les demandeurs, dans les actions visant à mettre une personne sous curatelle en raison de son intempérance, de sa prodigalité, ou de son abus d'alcool ou de drogues;

les défendeurs, dans les actions visant à diminuer les pensions alimentaires fixées par un tribunal en faveur d'un enfant ou d'un parent, ou visant à réduire les indemnités fixées par un tribunal dans les actions consécutives à des dommages corporels ayant entraîné la mutilation ou d'autres atteintes à la santé, ou le décès d'une personne;

les demandeurs, en cas de soustraction ou de déplacement illégal à l'étranger d'un enfant mineur;

les administrateurs, dans les actions introduites en faveur de personnes faisant l'objet d'une procédure d'insolvabilité (*juridiskās personas maksātnespējas process* - personnes morales, et *fiziskās personas maksātnespējas process* - personnes physiques), ainsi que lorsqu'ils introduisent une demande de procédure d'insolvabilité pour une personne morale dans le cas prévu à l'article 51, paragraphe 3, de la loi sur l'insolvabilité;

les agents de recouvrement, pour l'exécution de recouvrements de sommes au bénéfice de l'État;

les agents de recouvrement, lorsque l'exécution a lieu conformément à un instrument uniformisé permettant l'adoption de mesures exécutoires dans l'État membre requis;

l'administration fiscale, pour les demandes concernant une procédure d'insolvabilité à l'égard d'une personne morale;

l'administration chargée de la nationalité et de l'immigration, dans les affaires de retrait de la nationalité lettone;

l'Agence nationale de sécurité sociale (*Valsts sociālās apdrošināšanas aģentūra*), dans les affaires de recouvrement de ressources du budget de l'État relatives aux services d'assurance sociale, les affaires concernant un trop-perçu d'allocations sociales et les affaires concernant le paiement de services d'assurance sociale et d'allocations sociales liés à des accidents de la route.

Les parties peuvent être **exonérées du paiement des dépens** également dans d'autres cas prévus par la loi. Un tribunal ou un juge, après examen de la situation financière d'une personne physique, peut l'exonérer partiellement ou intégralement des dépens, différer leur paiement ou ordonner leur règlement par tranches.

Quand la partie succombante doit-elle supporter les dépens de la partie gagnante?

La partie gagnante peut demander le remboursement de tous les frais de justice auxquels l'autre partie l'a exposée. Si le demandeur n'obtient que partiellement gain de cause, le remboursement des frais sera proportionnel, dans la limite acceptée par le tribunal. Le défendeur sera remboursé proportionnellement à la partie de la demande rejetée. Les taxes et droits perçus pour une demande accessoire et pour la procédure d'opposition (lorsqu'un jugement par défaut a été prononcé) ne sont pas remboursés.

En outre, si le demandeur obtient totalement ou partiellement gain de cause, le défendeur est condamné à lui rembourser, dans les limites fixées par la loi, les frais occasionnés par le procès (avocat, présence aux audiences, rassemblement des preuves). Si la demande est rejetée, c'est le demandeur qui est condamné à rembourser ces frais au défendeur.

Honoraires des experts

Les frais d'expertise doivent être payés par la partie à l'origine de la demande, avant qu'il ne soit statué sur l'affaire. Une partie exonérée des dépens ne paye pas ces frais. Dans ce cas, les honoraires des experts sont payés par l'Administration des cours et tribunaux (*Tiesu administrācija*) (à l'exception des experts médico-légaux).

Honoraires des traducteurs et interprètes

Le tribunal fait en sorte que les participants à la procédure (à l'exception des représentants des personnes morales) qui ne maîtrisent pas la langue dans laquelle elle a lieu puissent prendre connaissance des pièces du dossier et participer aux étapes de la procédure avec l'aide d'un interprète.

Documents connexes

[Rapport de la Lettonie sur l'étude de la transparence des coûts](#)  (742 Kb) [en](#) (en anglais).

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Case study 1 - family law - divorce - Latvia

In this case study on family law (divorce), Member States were asked to advise the party filing for divorce on litigation fees in the following situations:

Case A. National scenario: a couple gets married. Later they separate and agree to a divorce.

Case B. International scenario: two nationals from the same Member State (Member State A) get married. The marriage is celebrated in Member State A. After the wedding, the couple moves to live and work in another Member State (Member State B) where they establish their residence. Shortly thereafter the couple separates with the wife returning to Member State A and the husband remaining in Member State B. The couple agrees to a divorce. Upon her return to Member State A, the wife immediately files for a divorce before the courts of Member State B.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fee	Other fees	Fee for submitting application to court	Clerical fee	Other fees
A	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 100	Copying: LVL 0.12 Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 100	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		Expert	
	Is representation compulsory?	Average fees	Is use compulsory?	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	No. A court orders an expert examination where this is requested by one of the parties and where clarification of facts	In accordance with Cabinet regulations.

		proceedings can 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.	relevant to the case calls for specialist knowledge in the field of science, technology, art, etc.	
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 can 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. 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.

Case	Bailliff			
	Is representation compulsory?	Pre-judgment fees	Post-judgment fees	
A	No	Not applicable	Not applicable	
B	No	Not applicable	Not applicable	

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).

Fees for legal aid and other reimbursement

Case	Reimbursement	
	If fees are not reimbursed in full, what percentage is usually reimbursed?	What fees are not reimbursed?
A	In delivering a judgment in a divorce case, the court divides court fees between the parties, taking into account their financial situations.	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	In delivering a judgment in a divorce case, the court divides court fees between the parties, taking into account their financial situations.	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.

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 the 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 the 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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Case study 2 - family law - custody of the children - 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		LVL 50	Copying: LVL 0.12	

		Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.		Certified copy: LVL 0.61	1) Fees associated with examination of the case. 2) Litigation fees.
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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 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.	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 LVL 93.70 (covered by the defaulting party); 3) other fees relating to the enforcement of a judgment (covered by the defaulting party).

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	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).

	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.			
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.	Translation is provided by the court. Where	The court may decide to explain its judgment without changing its	Not applicable.	The parties to the proceedings submit documents in a	Not determined.

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.	evidence is gathered abroad the actual translation fee must be covered.	substance if requested to do so and where the judgment has not yet been executed and the period for its enforcement has not expired.	foreign language along with the certified translation into the State language required by law.
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Case study 3 - family law - alimony - Latvia

In this case study on family law (alimony) Member States were asked to advise the suing party on litigation costs 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. There is an ongoing dispute between the two parties regarding the amount of alimony owed to the mother by the father for the support and education of the child. The mother sues on this point.

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 three-year-old child. They separate. A court decision in Member State B grants custody of the child to the mother. With the agreement of the father, the mother and the child move to live in another Member State (Member State A), which becomes their place of permanent residence.

There is an ongoing dispute between the two parties regarding the amount of alimony owed to the mother by the father for the support and education of the child. The mother sues on this point in Member State A.

Fees in Latvia

Court, appeal and alternative dispute resolution fees

Case	Court			Appeal		
	Fee for submitting application to court	Clerical fees	Other costs	Fee for submitting application to court	Clerical fees	Other costs
A	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.
B	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.	LVL 50 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	Copying: LVL 0.12 Certified copy: LVL 0.61 (The claimant is exempted from paying this fee. Court costs in such a case are recovered from the defendant for the benefit of the State.)	1) Fees associated with examination of the case. 2) Litigation fees.

Advocate, bailiff and expert fees

Case	Advocate	
	Is representation compulsory?	Average 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 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.
B	No.	Individuals work with a certified advocate on the basis of an agreement.

	Natural persons may represent themselves in court or be represented by an authorised party.	N.B. 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.
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Case	Bailiff			Expert	
	Is representation compulsory?	Pre-judgment fees	Post-judgment fees	Is use compulsory?	Fees
A	No.	Not applicable.	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) a certified bailiff's remuneration depends on the amount of the debt at the start of enforcement proceedings; 3) other fees relating to the enforcement of a judgment. The claimant is exempted from paying fees for the enforcement of a decision. These costs are recovered from the defendant.	No. 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	No	Not applicable	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2; 2) a certified bailiff's remuneration depends on the amount of the debt at the start of enforcement proceedings; 3) other fees relating to the enforcement of a judgment. The claimant is exempted from paying fees for the enforcement of a decision. These fees are recovered from the defendant.	No 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 this 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 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.	Where an application to secure the claim has been made, 0.5 % of the amount of the claim, but no less than LVL 50.
B	Yes.		If there is reason to believe that enforcement of a court judgment	Where an application to secure the claim has been made, 0.5 %

	If none of the parties is exempted from paying, 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.	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.	of the amount of the claim, but no less than LVL 50.
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Fees for legal aid and other reimbursement

Case	Reimbursement		
	Is the successful party eligible for reimbursement of litigation fees?	If fees are not reimbursed in full, what percentage in 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	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	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.	Where evidence is gathered abroad, translation fees are covered in full.	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.
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.	Where evidence is gathered abroad, translation fees are covered in full.	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.

Case	Other fees specific to cross-border disputes	
	Description	Approximate fees
A		Not determined.

	The parties to the proceedings submit documents in a foreign language along with the certified translation into the State language required by law.	
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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Case study 4 - commercial law - contract - 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	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	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

		that is allowed or, in non-material claims, at the standard rate for advocates.		defendant to desist from the activity in question: LVL 26	debt which has accumulated at the time legal proceedings began; 3) other fees relating to the enforcement of a judgment.
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.

Case study	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 study	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 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	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?
A	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	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,

		defendant is reimbursed in proportion to the part of the claim that was dismissed in the action.	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 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.

Case study	Translation		Interpretation	
	When and under what conditions is it necessary?	Approximate fees	When and under what conditions is it necessary?	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.	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 judgement has not yet been executed and the period for its enforcement has not yet expired.	Not applicable.
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 judgement 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
A	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	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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Case study 5 - commercial law - responsibility - 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		Bailliff		
	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	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	Individuals work with a certified advocate on the basis of an agreement. NB: fees relating to a advocate's legal assistance in civil	No.	Where a decision is reached about securing the claim:	Where a judgment is not enforced voluntarily: 1) the State fee for submitting a written enforcement order is LVL 2;

	association of those legal entities, or by other authorised representatives.	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.		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.	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	
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 study	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 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	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?
A	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	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
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.	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 judgement has not yet been executed and the period for its enforcement has not yet expired.	Not applicable.
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