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If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

Law of the Republic of Latvia

On Judicial Power

Part I General Provisions

Chapter 1 Judicial Power

Section 1. Judicial Power

(1) In the Republic of Latvia, independent judicial power exists alongside the legislative and the executive power.

(2) The judicial power is exercised in conformity with the rule of law principle. A judge is independent and subject solely to the law.

(3) In the Republic of Latvia, the judicial power is vested in district (city) courts, regional courts, the Supreme Court, and the Constitutional Court, but in the state of emergency or during war - also in military courts.

(4) Every person has the right to have the court case tried in accordance with the procedural rules laid down in law.

(5) The establishment of special (extraordinary) courts which do not follow the procedural norms prescribed by law and replace the courts referred to in Paragraph three of this Section is prohibited.

[15 June 1994; 31 October 2002; 17 March 2005]

Section 2. Laws Governing the Judicial Power

(1) This Law prescribes the judicial system of the Republic of Latvia.

(2) The principles and procedures for the examination of court cases are determined by the Constitution, the laws on civil procedure, criminal procedure and administrative procedure, and also the law On the Preservation and Use of the Documents of the Former State Security Committee, and Establishing the Fact of Collaboration with the SSC by a Person.

(3) The principles and procedures for the examination of Land Register cases is determined by the Land Register Law and other laws governing the recording of immovable properties and corroboration of the rights associated therewith in Land Registers.

(4) The Constitutional Court Law governs the functioning of the Constitutional Court.

(5) The Military Courts Law governs the functioning of a military court.

[15 June 1994; 29 January 1997; 17 March 2005; 22 September 2005; 21 July 2011; 25 October 2018 / The new wording of Paragraph three shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 3. Right of a Person to Judicial Protection

(1) A person has the right to judicial protection against threats to his or her life, health, personal freedom, honour, reputation, and property.

(2) Every person is guaranteed the right to have their rights and obligations or validity of the accusations brought against them determined on the basis of full equality by publicly examining the case before an independent and impartial court and meeting all requirements of fairness.

Section 4. Equality of Persons before the Law and the Court

(1) All persons are equal before the law and the court, and they have equal rights to the protection of the law.

(2) Justice shall be administered by a court irrespective of the origin, social and financial status, race or nationality, sex, education, language, attitude towards religion, type and nature of occupation, place of residence, or political or other views of a person.

Section 5. Administration of Justice in Civil Cases

Justice in civil cases shall be administered by a court examining and deciding in court hearings cases regarding disputes relating to the protection of the civil, employment, family, and other rights and lawful interests of natural and legal persons.

Section 6. Administration of Justice in Criminal Cases

Justice in criminal cases shall be administered by a court examining and deciding in court hearings the validity of charges brought against persons, and either acquitting innocent persons or finding persons guilty of committing a criminal offence and prescribing a punishment therefore.

[22 September 2005]

Section 7. Administration of Justice in Administrative Cases

(1) In administrative cases, courts shall exercise control over an activity of the executive power which relates to the lawfulness and validity of a specific public law relation (an administrative act or the actual actions of an institution), and also establishes the public legal obligations or rights of a person.

(2) Justice in administrative violation cases shall be administered by a court examining and deciding in court hearings cases regarding administrative violations committed by persons.

[4 December 2003]

Section 8. Administration of Justice in Commercial Disputes

[28 September 1995]

Section 9. Administration of Justice in Issues of Constitutional Supervision

[15 June 1994]

Chapter 2 Principles of and Guarantees for the Independence of the Judiciary

Section 10. Independence of the Judiciary and Submission Solely to Law

(1) In administering the justice, judges shall be independent and subject solely to law.

(2) The independence of the judiciary shall be guaranteed by the State.

[29 January 1997; 16 June 2009]

Section 11. Prohibition to Interfere with the Judicial Process

(1) State institutions, public and political organisations, and other legal and natural persons have the obligation to respect and abide by the independence of the judiciary and the immunity of judges.

(2) The process of administering justice must be free from any restrictions, pressures, influences, direct or indirect threats or other unlawful interferences, irrespective of the purpose or intention of such actions. Demonstrations and picketing on the premises of a court building are prohibited in accordance with the procedures specified in laws and regulations. Any influencing of judges or interference with the administration of justice shall be punished in accordance with the procedures specified in law.

(3) No one has the right to request from a judge a report on or explanations of the course of examination of a particular case, or also the disclosure of the views expressed during deliberations.

[29 January 1997; 16 June 2009]

Section 12. Liability for the Contempt of Court

Persons who are guilty of the failure to obey a court, evading an appearance before a court, disrespecting a judge in regard to the administration of justice, and also of other actions exhibiting contempt of court shall be punished in accordance with the procedures specified in law.

[29 January 1997; 16 June 2009]

Section 13. Judicial Immunity

(1) In the fulfilment of the duties related to the administration of justice, the judge has immunity.

(2) Only the Prosecutor General of the Republic of Latvia can initiate a criminal case against a judge. A judge may not be arrested or held criminally liable without the consent of the *Saeima*. A Supreme Court judge specially authorised for such purpose shall take the decision to arrest, convey by force, detain or subject to search a judge. If a judge is apprehended for committing a serious or especially serious criminal offence, the decision to convey by force, detain or subject to search need not be taken, but the specially authorised Supreme Court judge and the Prosecutor General must be informed thereof within 24 hours.

(3) [16 June 2009]

(4) [14 May 2020 / See Paragraph 101 of Transitional Provisions]

(5) A judge is not financially liable for the damages incurred by a person who participates in a case as a result of an unlawful or unfounded court judgment. In the cases provided for by the Law, damages shall be compensated by the State.

(6) A person who considers that a court ruling is unlawful or unfounded may appeal it in accordance with the procedures specified in the Law, but cannot bring an action before a court against the judge who examined this case.

[29 January 1997; 22 September 2005; 16 June 2009; 14 May 2020]

Section 14. Recusal of Judges

(1) A judge may not participate in the examination of a case, if he or she is personally, directly or indirectly interested in the outcome of the case, or if there are other circumstances casting doubts on his or her impartiality, and also in the cases provided for in the law On Prevention of Conflict of Interest in Activities of Public Officials.

(2) In such cases, a judge must recuse himself or herself.

(3) If a judge has not recused himself or herself, the persons who are participating in the case may apply for the recusal of the judge.

(4) The grounds for recusation of a judge and the procedures for the examination of the recusation shall be determined by law.

[16 June 2009]

Section 15. Prohibition to a Judge to Participate in the Repeated Examination of a Case

(1) A judge who has participated in the examination of a case may not participate in the repeated examination of this case.

(2) Exceptions with regard to the conditions of Paragraph one of this Section may only be specified in law.

[29 January 1997; 16 June 2009]

Section 16. Legal Effect of a Court Judgment

(1) A court judgment shall enter into legal effect after its appeal or protest time period has expired and it has not been appealed or protested, or a higher court, having examined the appeal or protest, has affirmed it, or modified it without vacating the judgment.

(2) A judgment that has entered into legal effect shall be executed.

(3) In accordance with the procedures specified in law, a judgment shall be binding on a court when examining other cases related to such matter.

(4) Such a judgment shall have the force of law, shall be mandatory for all, and shall be treated with the same respect as is due law.

Chapter 3

Basic Principles for the Examination of Cases

Section 17. Truth

(1) A court shall, when examining any case, be obliged to establish the objective truth.

(2) In examining a case, a court shall determine the facts based on the evidence examined at a court hearing.

(3) A court judgment may be based only on such evidence as has been acquired according to the procedures laid down by law.

(4) The means of evidence shall be determined by law.

Section 18. Legality

Judicial proceedings in the Republic of Latvia shall be conducted in accordance with the laws and regulations of the Republic of Latvia, and judgments shall be proclaimed in the name of the Republic of Latvia. In the cases provided for by laws and international agreements, a court shall also apply the principles of international law, or the laws of other countries.

Section 19. Openness

(1) In all courts of the Republic of Latvia, cases shall be examined openly. The examination of a case in a closed court hearing shall be permitted only in the cases specified by law by complying with all other provisions applicable to court proceedings.

(2) Judgments and decisions of a court shall always be proclaimed publicly.

Section 20. Collegiality

(1) In the courts of the Republic of Latvia, cases shall be examined collegially, except for the cases provided for by law, when a case can also be examined by a judge sitting alone.

(2) In examining cases collegially, the judges comprising the court panel have equal rights to decide all issues associated with the examination of a case.

(3) All court rulings shall be made by a majority of the votes of the judges. A judge may not abstain from a vote. If the votes are divided equally, the presiding judge shall decide the issue.

[16 June 2009]

Section 21. Language of Court Proceedings

(1) Court proceedings in the Republic of Latvia shall be conducted in the official language.

(2) To a person who participates in a case, but is not fluent in the language of the court proceedings, a court shall ensure the right to become acquainted with case files and to participate in the court process with the assistance of an interpreter, and also the right to speak in the court in the particular language, in which such person is fluent.

[3 April 2008]

Section 22. Defence

A defendant has the right to defence. Such right of a defendant during the examination of a case shall be ensured by the court and is guaranteed by the State. Only an advocate may be the defence counsel in the examination of a case.

Section 23. Presumption of Innocence

(1) No one may be found guilty of committing a criminal offence, while his or her guilt is not declared in accordance with the Law.

(2) A defendant shall not have to prove his or her innocence.

(3) A court shall resolve all doubts concerning the guilt of a defendant in favour of the defendant.

[22 September 2005]

Section 24. Equality of Parties

(1) Parties have equal rights in proceedings.

(2) The law determines and the court shall ensure that parties have an equal opportunity to use procedural rights to defend their interests.

Section 25. Adversarial Proceedings

(1) In the course of case examination, the parties shall exercise their procedural rights by way of adversarial proceedings, except for court proceedings in administrative cases.

(2) Adversarial proceedings shall be manifested, by the parties submitting evidence and applications addressed to the court, participating in the questioning, or examination and evaluation of other evidence, and also in the arguments of the parties and the performance of other procedural activities.

[4 December 2003]

Section 25.¹ Objective Investigation Principle

In order to ascertain, within the limits of the claim, the true circumstances of the case and to achieve fair examination of an administrative case, a court shall give participants in the administrative procedure instructions and recommendations, and also collect evidence upon its own initiative.

[4 December 2003]

Section 26. Continuity

[30 April 2009]

Section 27. Directness and Oral Hearing

(1) When examining a case, a court of first instance or appellate court shall itself examine the evidence in the case.

(2) Persons summoned before a court shall give their testimony and explanations orally. All files and documents to be examined at a court hearing shall be read and discussed orally.

Section 27.¹ Management of Time Periods for the Examination of Cases in a Court

(1) Before the beginning of each calendar year, the Court President shall plan and determine the objectives of the court work in relation to average time periods for the examination of cases in a court (the standard of time periods for the examination of cases) in cooperation with court judges.

(2) The standard of time periods for the examination of cases shall be determined by taking into account the court resources and the necessity to ensure the right of a person to the examination of a case in a reasonable time period and in conformity with other basic principles for the examination of cases.

(3) The Court President shall submit the standard case examination time limits for approval to the Judicial Council until 1 February of each year.

(4) The actual case examination time limits shall be supervised by the Court President.

[13 June 2013; 14 May 2020]

Section 28. Procedural Economy

(1) A judge shall try a case as fast as possible.

(2) A person who participates in a case shall comply with the procedural terms specified in law or by the court.

[31 October 2002]

Section 28.¹ Distribution of Cases

(1) Before the beginning of each calendar year, the Court President shall approve a plan for the distribution of cases.

(2) The Court President may amend the plan for the distribution of cases during the calendar year:

- 1) due to the overload of work of judges;
- 2) due to an insufficient workload of judges;
- 3) in relation to a change of judges;
- 4) in relation to judges being unable to fulfil their duties.

(3) In the distribution of cases, the workload of a judge when fulfilling duties in judicial self-government authorities shall be taken into account.

[31 October 2002; 9 June 2011]

Chapter 3.¹ **Availability of Information**

[22 September 2005]

Section 28.² Availability of Court Rulings

(1) A court ruling given during an open court hearing and drawn up as a separate procedural document shall become generally accessible information at the time of its proclaiming, but, if the ruling is not proclaimed - at the time of its adoption.

(2) Introductory section and operative part of a court ruling given during a closed court hearing, if proclaimed publicly, shall be generally accessible information.

(3) When issuing the information referred to in Paragraphs one and two of this Section, it shall include an indication on the validity of court ruling, and in accordance with the procedures stipulated by the Cabinet the part of the information which discloses the identity of a natural person shall be hidden.

(4) The provisions of this Section shall not be applied, if a court ruling is issued in accordance with procedural laws.

(5) The final court judgment which has entered into effect in a case examined in open proceedings together with other court judgments in the particular case shall be published on the website unless the law provides otherwise. Court decisions shall be published in the same manner to the extent specified by the Cabinet. In publishing court rulings, the part of information which discloses the identity of a natural person shall be hidden.

[3 April 2008; 13 June 2013; 3 September 2020]

Section 28.³ Availability of Case Files

(1) After entry into effect of the final court ruling, the case files examined in an open court hearing shall become restricted access information and shall be available in accordance with the Freedom of Information Law or the Criminal Procedure Law after the final ruling has entered into effect.

(2) Until the entry into effect of the final court ruling in this case, the case files shall be available only to those persons for whom such rights have been provided in procedural laws.

(3) The case files examined during an open or closed court hearing shall be available to other State administrative authorities and judicial power authorities, if these authorities need them for the performance of their functions. The recipient of the information shall ensure for the information the protection provided for in the law.

[25 October 2018]

Section 28.⁴ Availability of the Case Files Examined During a Closed Court Hearing

(1) The case files examined during a closed hearing shall be available before the date specified in Paragraphs two, three, and four of this Section only to those persons for whom such rights have been provided in the procedural laws and in Section 28.³, Paragraph three of this Law. After expiration of the time periods specified in Paragraphs two, three, and four of this Section, the relevant case files shall be available as restricted access information.

(2) The case files examined during a closed court hearing shall become restricted access information when 20 years will have passed after entering into effect of the final court ruling in this case.

(3) The case files which have been examined during a closed court hearing in the interests of keeping the official secret shall become restricted access information upon expiry of the time period of secrecy of information present in the case.

(4) Case files shall become restricted access information when 75 years will have passed after entering into effect of the final court ruling in the case examined during a closed court hearing on the determination of the origin of a child, the confirmation and cancellation of adoption, divorce or non-existence and restricting the capacity to act of a person due to disorders of mental nature, or other health disorders.

[30 April 2009; 13 June 2013]

Section 28.⁵ Procedures for the Contesting and Appeal of Information Refusal

(1) A refusal of a court to issue the requested information may be contested before the Ministry of Justice in accordance with the procedures laid down in the Administrative Procedure Law. The decision of the Ministry of Justice

may be appealed before a court.

(2) The court, in issuing the information, shall be under supervision of the Ministry of Justice.

Section 28.⁶ Court Information System

(1) The Republic of Latvia shall be the owner of the Court Information System and its software.

(2) The maintenance and development of the information system shall be financed from the State basic budget.

(3) The Court Administration shall be the manager and holder of the Court Information System.

(4) The Supreme Court shall establish case law database within the framework of the Court Information System.

(5) The procedures for the selection and processing of the information to be included in the case law database shall be determined by the President of the Supreme Court after co-ordination with the Ministry of Justice.

(5¹) The dates and time of court sessions, and also information on the availability of a sworn advocate and a prosecutor shall be noted in the calendar of court sessions created in the Court Information System. A notation made in the calendar of court hearings on the determination of the date and time of a court hearing shall be binding in planning examination of cases in a court hearing with the participation of such sworn advocate or a prosecutor whose participation in another court hearing has already been noted in the calendar of court hearings.

(6) The Cabinet shall determine the procedures for the establishment, maintenance, and use of the Court Information System, and also the minimum amount of information to be included, taking into account the restrictions specified in laws and regulations.

(7) The information included in the Court Information System shall be restricted access information, except for the case law database in which the included information is generally accessible.

[8 November 2007; 13 June 2013]

Section 28.⁷ Procedures by which the Information is to be Published on the Internet Homepage

The Cabinet shall determine the information related to court work which is to be published on the website, and also the procedures by which such information shall be published.

[3 April 2008]

Part II Judicial System

Chapter 4 District (City) Courts

Section 29. Establishment of a District (City) Court

(1) In the Republic of Latvia, at least one district (city) court shall be established within the territory of operation of each regional court.

(1¹) For the examination of cases specified in the Civil Procedure Law and the Criminal Procedure Law in first instance, the Economic Court which is located in Riga and the territory of operation of which is the whole territory of the Republic of Latvia is established.

(2) District (city) court may have divisions - courthouses which are located within the territory of operation of the relevant district (city) court.

(2¹) [25 October 2018 / See Paragraph 95 of Transitional Provisions]

(3) District (city) courts, their courthouses, and also the territories of operation and locations of district (city) courts, their courthouses, shall be determined by the Judicial Council and published in the official gazette *Latvijas Vēstnesis*.

(4) In order to ensure the availability of court, the work of a district (city) court may be organised in different locations within the territory of operation of the district (city) court.

[1 October 1997; 4 December 2003; 22 September 2005; 3 April 2008; 30 April 2009; 21 July 2011; 30 October

2014; 18 June 2015; 18 January 2018; 25 October 2018; 17 June 2020]

Section 30. Competence of a District (City) Court

(1) A district (city) court is the court of first instance for civil cases, criminal cases, and administrative cases, unless it has been otherwise provided for in the law, and examines the Land Register cases.

(1¹) [25 October 2018 / See Paragraph 95 of Transitional Provisions]

(2) The laws on civil procedure, criminal procedure, and administrative procedure shall determine the civil cases, criminal cases, and administrative cases which are within the jurisdiction of a district (city) court. The Land Register Law establishes that the district (city) court has the jurisdiction over Land Register cases.

[4 December 2003; 21 July 2011; 13 June 2013; 25 October 2018 / Amendments to the Section shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 31. Composition of a District (City) Court

(1) In the district (city) court, civil cases and administrative cases shall be examined by a judge sitting alone. Especially complicated administrative cases, at the discretion of the Court President, may be examined collegially - in the composition of three judges.

(2) [16 June 2009]

(3) In the cases specified by law, criminal cases shall be examined by a judge sitting alone.

[29 January 1997; 4 December 2003; 16 June 2009]

Section 32. Judges of a District (City) Court

(1) A district (city) court shall consist of the President and judges.

(2) A district (city) court may have Deputy Presidents.

(3) The *Saeima*, upon a proposal of the Judicial Council, shall determine the total number of judges in district (city) courts and in the Economic Court, and also in the District Administrative Court. The Judicial Council shall determine the number of judges in each court upon a proposal of the Minister for Justice.

(4) An investigating judge shall not examine criminal cases while fulfilling the duties of an investigating judge.

[15 October 1998; 28 September 2005; 23 February 2006; 3 June 2010; 13 June 2013; 17 June 2020]

Section 33. President of a District (City) Court

(1) The work of a district (city) court institution shall be managed by the President concurrently with the fulfilment of the duties of a judge.

(2) The President of a district (city) court shall be appointed to the office by the Judicial Council for five years. Procedures for the nomination and appointment of candidates for the office of the President of a court shall be determined by the Judicial Council. The Judicial Council may remove the President from the office before the end of the term upon his or her own request or upon a proposal of the Minister for Justice, if the President has made gross violations while fulfilling his or her duties of office or is unable to ensure qualitative management of the administrative work of the court.

(2¹) The same person may be the President of a district (city) court for not more than two consecutive terms.

(3) The President of a district (city) court shall:

1) act with financial and other resources transferred to a court institution;

2) determine professional duties for court employees and Deputy President;

3) determine duties of judges in relation to efficient functioning of a court institution (for example, cooperation with foreign courts and other authorities, compilation of practice, provision of opinions, participation in development of draft laws and regulations, provision of references to the Judicial Qualification Committee);

4) be responsible for the allocation of cases and other duties among judges;

4¹) shall organise the work of the court;

4²) shall promote uniform court practice in the court, organise discussions regarding application of current laws and

regulations and analysing of the court practice;

4³) shall ensure the openness of the work of the court;

4⁴) shall supervise the work quality of court employees and the conformity with the standards of servicing visitors in the court;

4⁵) shall promote the conformity with the professional ethics norms and uniform perception thereof in the court;

5) submit requests to the Court Administration for material and technical provision of activities of the court institution;

6) be responsible for legal and useful use of resources;

7) organise the annual appraisals of court employees;

8) [25 October 2018 / See Paragraph 95 of Transitional Provisions];

9) according to a decision of the President of a regional court, appoint a judge for the fulfilment of the duties of an investigating judge for a time period of up to three years;

10) according to a decision of the President of a regional court, appoint a judge who will decide on the approval for the acquisition of the data to be preserved from the electronic communications merchants in accordance with the Operational Activities Law.

(4) The President of a district (city) court may:

1) verify the conformity with the procedural time periods in cases that are under judicial proceedings of a judge, and also the conformity of the settlement of matters with the requirements of laws and regulations, including the provisions of court proceedings;

2) request a judge to provide an explanation for the work organisation of the judge and other issues within the competence stipulated in this Section;

3) issue orders to a judge which are related to work organisation of the judge for fulfilment of professional duties;

4) suggest to the Judicial Qualification Board the performance of extraordinary assessment of the professional activities of a judge of a district (city) court. The circumstances of the professional activities of the judge that have been established by the President and that are related to essential deficiencies in work organisation or insufficient professional knowledge of the judge which is an obstacle for qualitative course of judicial proceedings shall be indicated in the proposal.

(5) If a judge does not perform the necessary procedural activities without a justified reason in order to ensure the examination of a case within a reasonable time period, and also in cases when the time period planned by the judge does not ensure the examination of a case within a reasonable time period, the President of the court may:

1) assign the judge to determine a corresponding time period in which the relevant procedural activity must be performed, taking into account the circumstances of the case;

2) redistribute cases to judges according to the plan for the distribution of cases.

[22 September 2005; 3 June 2010; 9 June 2011; 21 July 2011; 13 June 2013; 18 January 2018; 6 September 2018; 25 October 2018; 14 May 2020]

Section 33.¹ Deputy President of a District (City) Court

(1) The Deputy President of a district (city) court shall be appointed and removed from the office in accordance with the procedures laid down in Section 33, Paragraph two of this Law.

(1¹) In a district (city) court with more than ten judges, the President may have one or several deputies.

(2) The Deputy President may concurrently be the Chairperson of a courthouse.

[22 September 2005; 30 April 2009; 3 June 2010; 18 January 2018]

Section 33.² Chairperson of a Courthouse of the District (City) Court

(1) The Chairperson of a courthouse of the district (city) court may be appointed from among the judges of the relevant court in a courthouse of the district (city) court. The Chairperson of a courthouse of the district (city) court shall be appointed and removed from the office in accordance with the procedures laid down in Section 33, Paragraph

two of this Law.

(2) [16 December 2010]

(3) [16 December 2010]

[30 April 2009; 16 December 2010]

Section 33.³ Head and Deputy Head of a Land Registry Office

[25 October 2018 / See Paragraph 95 of Transitional Provisions]

Section 33.⁴ Reorganisation of District (City) Courts

(1) A district (city) court may be merged with another district (city) court, if the Judicial Council has agreed thereto. Upon a proposal of the Minister for Justice, the Judicial Council shall approve the plan for the reorganisation of a district (city) court.

(2) After transfer of a judge to work in another district (city) court, cases the examination of which on the merits has been commenced in the reorganised court before merging of the district (city) court has been completed shall be further examined by the same judge. Cases the examination of which on the merits has not been commenced shall be transferred to the district (city) court with which the district (city) court is being merged.

(3) A case examined in the reorganised district (city) court in which the appellate or cassation court has revoked the ruling shall be transferred for examination anew to the district (city) court to which the reorganised district (city) court is being merged, unless otherwise provided for in the law.

(4) If in a case examined in the reorganised district (city) court matters related to the execution of the ruling are to be decided, it shall be transferred for examination to the district (city) court with which the reorganised district (city) court is being merged, unless otherwise provided for in the law.

(5) Powers of the President and Deputy President of the reorganised district (city) court shall expire upon the completion of the court reorganisation.

[18 June 2015]

Section 34. Administrative Judges

[15 October 1998]

Chapter 5 Regional Courts

Section 35. Establishment of Regional Courts

(1) In the Republic of Latvia, six regional courts shall be established: Riga Regional Court, Kurzeme Regional Court, Latgale Regional Court, Vidzeme Regional Court, Zemgale Regional Court, and the Regional Administrative Court.

(2) The territories of operation of regional courts shall be determined by the Judicial Council and published in the official gazette *Latvijas Vēstnesis*.

(3) Regional court may have divisions - courthouses of regional courts which shall be located within the territory of operation of the regional court. The courthouses of regional courts and their territories of operation shall be determined by the Judicial Council and published in the official gazette *Latvijas Vēstnesis*.

[1 October 1997; 4 December 2003; 30 April 2009; 18 June 2015; 18 January 2018]

Section 36. Competence of a Regional Court

A regional court is the appellate instance for civil cases, criminal cases, and administrative cases, unless it has been laid down otherwise in the law.

[13 June 2013 / Amendments to the Section regarding reorganisation of the Supreme Court shall come into force on 1 January 2014. See Paragraph 73 of the Transitional Provisions]

Section 37. Composition of a Regional Court for Hearings as the Court of First Instance

[13 June 2013 / See Paragraph 73 of the Transitional Provisions]

Section 38. Composition of a Regional Court for Hearings as the Appellate Court

In the appellate instance of a regional court civil cases, criminal cases, and administrative cases shall be examined collegially in the composition of three judges of the regional court.

Section 39. Judges of a Regional Court

(1) The judges of a regional court are the President, Deputy Presidents, and judges.

(2) The total number of judges of a regional court, and also of the Regional Administrative Court, shall be determined by the *Saeima*, upon a proposal of the Judicial Council. The Judicial Council shall determine the number of judges in each court upon a proposal of the Minister for Justice.

[3 June 2010]

Section 40. President of a Regional Court

(1) The work of a regional court institution shall be managed by a President concurrently with the fulfilment of the judge duties.

(2) The President of a regional court shall be appointed to the office by the Judicial Council for five years. Procedures for the nomination and appointment of candidates for the office of the President shall be determined by the Judicial Council. The Judicial Council may remove the President of a regional court from the office before the end of the term upon his or her own request or upon a proposal of the Minister for Justice, if the President has made gross violations while fulfilling his or her duties of office or is unable to ensure qualitative management of the administrative work of the court.

(2¹) The same person may be the President of a regional court for not more than two consecutive terms.

(3) The President of a regional court shall perform the functions specified in Section 33, Paragraphs three, four, and five of this Law.

(4) The President of a regional court shall determine such district (city) courts in the territory of operation of the relevant regional court where an investigating judge must be appointed, and also the work schedule of investigating judges in the territory of operation of the regional court.

(5) The President of a regional court shall determine a district (city) court in the territory of operation of the relevant regional court where a judge who will decide on the approval for the acquisition of the data to be preserved from the electronic communications merchants in accordance with the Operational Activities Law must be appointed.

(6) The President of a regional court may suggest to the Judicial Qualification Board the performance of extraordinary assessment of the professional activities of a judge of a district (city) court or a judge of a regional court. The circumstances of the professional activities of the judge that have been established by the President and that are related to essential deficiencies in work organisation or insufficient professional knowledge of the judge which is an obstacle for qualitative course of judicial proceedings shall be indicated in the proposal.

[22 September 2005; 3 June 2010; 13 June 2013; 18 January 2018; 6 September 2018; 25 October 2018; 14 May 2020]

Section 41. Deputy Presidents of a Regional Court

(1) The President of a regional court shall have Deputy Presidents who shall concurrently also fulfil the duties of a Chairperson of a court collegium. A Deputy President may also concurrently be the Chairperson of a courthouse of the regional court.

(1¹) If a regional court has more than fifty judges, the President of the regional court may have a deputy who does not concurrently fulfil the duties of a Chairperson of a court collegium.

(2) The Deputy President of a regional court shall be appointed and removed from the office in accordance with the procedures laid down in Section 40, Paragraph two of this Law.

[3 June 2010; 9 June 2011]

Section 41.¹ Chairperson of a Courthouse of a Regional Court

(1) The Chairperson of a courthouse of the regional court may be appointed from among the judges of the relevant regional court in a courthouse of the regional court. The Chairperson of a courthouse of a regional court shall be appointed and removed from the office in accordance with the procedures laid down in Section 33, Paragraph two of this Law.

(2) [16 December 2010]

(3) [16 December 2010]

[30 April 2009; 3 June 2010; 16 December 2010]

Section 42. Collegia of a Regional Court

(1) A regional court may have collegia.

(2) A court collegium shall be managed by their Chairpersons who are concurrently also the Deputy Presidents of a regional court, and judges shall be included in the composition of the collegium.

(3) The collegia of a regional court shall be approved by the President of the regional court.

(4) If a collegium of regional court has more than 12 judges, two or more court collegia with the respective name may be established.

[28 September 1995; 31 October 2002; 4 December 2003; 3 June 2010; 18 January 2018; 17 June 2020]

Section 42.¹ Land Registry Offices

[21 July 2011]

Chapter 6 The Supreme Court

Section 43. Structure of the Supreme Court

The Supreme Court (hereinafter also - the Senate) is composed of the Department of Administrative Cases, the Department of Civil Cases, and the Department of Criminal Cases.

[25 October 2018]

Section 44. Senate

(1) The Senate is a cassation instance, unless otherwise provided for by the Law.

(2) The *Saeima*, upon a proposal of the Judicial Council, shall determine the total number of judges in the Senate (hereinafter also - the Senators).

(3) The Senate shall examine cases collegially in composition of three Senators. In the cases specified in Law, cases may be examined in an extended composition or in a joint meeting.

[25 October 2018]

Section 45. Chambers of the Court and their Competence

[13 June 2013 / See Paragraph 73 of the Transitional Provisions]

Section 46. Composition of a Chamber of the Court

[13 June 2013 / See Paragraph 73 of the Transitional Provisions]

Section 47. Senate and its Competence

[13 June 2013 / See Paragraph 73 of the Transitional Provisions]

Section 48. Department of the Senate

(1) The total number of Senators in departments shall be determined by the Judicial Council upon a proposal of the President of the Supreme Court.

(2) Chairpersons of departments of the Senate shall be elected by the Plenary Session of the Supreme Court for five years.

[25 October 2018]

Section 48.¹ Disciplinary Court

(1) In the cases specified in this Law and other laws, the lawfulness of a decision shall be evaluated by the Disciplinary Court. The composition and procedural operations of the Disciplinary Court is governed by the Judicial Disciplinary Liability Law.

(2) In accordance with the procedures laid down in this Law, the Disciplinary Court shall inspect the lawfulness of the unfavourable opinions provided by the Judicial Qualification Committee in the framework of the assessment of the professional activities of judges.

[3 June 2010; 9 June 2011; 18 January 2018]

Section 49. Plenary Session and its Competence

(1) The Plenary Session is a general meeting of judges of the Supreme Court convened by the President of the Supreme Court.

(2) The Plenary Session shall discuss current issues of legal norm interpretation.

(3) *[3 April 2008]*

(4) The Plenary Session shall give an opinion on whether there are grounds to remove the President of the Supreme Court or dismiss the Prosecutor General from office.

(5) The Plenary Session shall select the candidates for the position of a judge of the Supreme Court from among the judges of the Republic of Latvia in the cases specified in the Constitutional Court Law.

(6) The Plenary Session shall elect a member of the Central Election Commission from among the judges.

(7) The Plenary Session shall elect a member of the Judicial Council from among the judges of the Supreme Court.

(8) The Plenary Session shall elect six members of the Disciplinary Court for five years and approve the Chairperson of the Disciplinary Court from among the members.

[15 October 1998; 31 October 2002; 3 April 2008; 30 April 2009; 3 June 2010; 25 October 2018]

Section 49.1 General Meeting of Senators of a Department of the Senate

(1) The General Meeting of Senators of a department of the Senate is a collegial authority which is convened by the President of the Supreme Court for the discussion of current legal issues.

(2) The General Meeting of Senators of a department of the Senate shall discuss current issues of legal norm interpretation to ensure uniformity in application of legal norms.

(3) The General Meeting of Senators of a department of the Senate shall formulate its opinion on the issues of interpretation and application of legal norms as a decision which shall be published on the website.

(4) *[25 October 2018]*

(5) The General Meeting of Senators of a department of the Senate shall provide an opinion on the candidate for the office of a judge of the Supreme Court or a judge who has applied to replace a judge of the Supreme Court. Upon a proposal of the President of the Supreme Court, the Judicial Council shall approve the criteria to be used for the preparation of the opinion.

[13 June 2013; 30 April 2015; 18 January 2018; 25 October 2018]

Section 50. President of the Supreme Court

(1) The work of the Supreme Court shall be managed by the President of the Supreme Court who shall, upon recommendation of the Plenary Session of the Supreme Court, be approved from amongst the judges of the Supreme Court by the *Saeima* for five years. The same person may be the President of the Supreme Court for not more than two consecutive terms of office.

(2) The President of the Supreme Court has the right to participate in the examination of cases at the Senate.

(3) The President of the Supreme Court shall implement the powers specified in the Office of the Prosecutor Law which are related to the removal or dismissal of the Prosecutor General from the office.

(4) Following the approval of a judge of the Supreme Court in the office, the President of the Supreme Court shall determine the department of the Senate where this judge will fulfil his or her duties.

(4¹) The President of the Supreme Court, upon a proposal of the General Meeting of Senators of the relevant

department of the Senate, shall transfer a Senator to another department.

(5) The President of the Supreme Court shall convene the meetings of the chairpersons of the departments of the Senate where an issue of the allocation of a case submitted by a judge or a court shall be decided, and shall participate therein with voting rights and chair them.

(6) The President of the Supreme Court shall also have the functions specified in Section 33, Paragraphs four and five of this Law.

(7) The President of the Supreme Court, upon having ceased to fulfil the duties of the office, shall continue the fulfilment of the duties of the office of a judge in any of the departments of the Senate.

(8) The President of the Supreme Court may suggest to the Judicial Qualification Board the performance of extraordinary assessment of the professional activities of a judge of a district (city) court, a judge of a regional court, or a Supreme Court judge. The circumstances of the professional activities of the judge that have been established by the President and that are related to essential deficiencies in work organisation or insufficient professional knowledge of the judge which is an obstacle for qualitative course of judicial proceedings shall be indicated in the proposal.

[13 June 2013; 25 October 2018; 27 February 2020; 14 May 2020]

Section 50.¹ Administration of the Supreme Court

(1) The Administration of the Supreme Court is a structural unit of the Supreme Court which organises and ensures the administrative work of the court.

(2) The Head of the Administration of the Supreme Court shall be hired and dismissed by the President of the Supreme Court.

(3) The Administration of the Supreme Court shall:

- 1) manage finances;
- 2) take care of materials and technical facilities;
- 3) deal with record keeping;
- 4) organize staff management and training;
- 5) ensure communication with society;
- 6) undertake international cooperation.

[22 September 2005]

Chapter 6.¹ Provision of the Judicial System

[16 December 2010]

Section 50.² Financing of the Judicial System

(1) The judicial system shall be financed from the State budget.

(2) The State shall guarantee the independence of judges and the effective legal protection of a person in a competent and independent court by providing for adequate financing in the law on the budget for the current year.

(3) The Court Administration shall prepare the draft budget requests of district (city) courts and regional courts and submit to the Ministry of Justice. The Ministry of Justice shall submit a summary of budget requests to the Judicial Council for the provision of an opinion. Following the receipt of the opinion from the Judicial Council, the Ministry of Justice shall submit the budget requests of district (city) courts and regional courts to the Ministry of Finance, appending thereto the opinion of the Judicial Council.

(4) The Supreme Court shall submit the budget request of the Supreme Court to the Judicial Council for the provision of an opinion. The Supreme Court shall submit the budget request of the Supreme Court to the Ministry of Finance, appending the opinion of the Judicial Council thereto.

(5) The differing opinion of the Judicial Council on the submitted budget request shall not suspend the submission thereof to the Ministry of Finance.

[21 July 2011]

Section 50.³ Material and Technical Facilities of Courts

The State shall provide courts with the appropriate material and technical facilities for the fulfilment of court functions.

Part III Judges of the Republic of Latvia

Chapter 7 Candidate for the Office of a Judge

[16 June 2009]

Section 51. Requirements for a Judge

(1) A person who meets the following mandatory requirements may be a judge:

- 1) is a citizen of Latvia;
- 2) has the highest level of proficiency in the official language;
- 3) has completed the higher vocational or academic education (except for the first level vocational education) and acquired the qualification of a lawyer, and also has a master's or doctoral degree;
- 4) has impeccable reputation;
- 5) has attained the age of 30 years.

(2) When selecting a judge, no discrimination based on origin, social and financial status, race or nationality, sex, attitude towards religion, type and nature of occupation, or political or other views is permitted. The requirement that a judge must be a citizen of Latvia shall not be considered as discriminatory.

(3) Candidates for the office of a judge shall be selected in an open competition. Upon recommendation of the Minister for Justice and the President of the Supreme Court, the Judicial Council shall approve the rules for the competition.

[29 January 1997; 9 June 2011; 18 January 2018]

Section 52. Candidate for a Position of a Judge of a District (City) Court

A person meeting the following criteria may be appointed as a judge of a district (city) court:

- 1) has worked in a legal profession for at least five years following the acquisition of the qualification of a lawyer, or has worked in the position of the assistant to a President or assistant to a judge for at least five years;
- 2) has been included in the list of candidates for the position of a judge;
- 3) meets the requirements of Section 51, Paragraph one of this Law.

[18 January 2018; 14 May 2020]

Section 53. Candidate for a Judge of a Regional Court

(1) A judge of a district (city) court whose total length of service in the office of a judge is at least six years and who has received a favourable opinion from the Judicial Qualification Committee in the extraordinary assessment of the professional activities of the judge may apply for an office of a judge of a regional court.

(1¹) In exceptional cases, a judge of a district (city) court who has been approved to the office for an unlimited term and who has a master's or doctoral degree, and who has received a favourable opinion from the Judicial Qualification Committee in the extraordinary assessment of the professional activities of the judge may apply for the office of a judge of a regional court.

(2) A person whose total length of service in a position of an academic personnel in the legal specialities at a higher education institution, a sworn advocate or a prosecutor, or, until 30 June 1994, a deputy prosecutor, an assistant prosecutor, or an investigator for the prosecution is at least 10 years and who has been included in the list of candidates for the position of a judge may apply for the office of a judge of a regional court.

(3) A person who has been in the office of a Constitutional Court judge, a judge of an international court or a judge of a supranational court may apply for the office of a judge of a regional court.

[19 June 2003; 3 April 2008; 30 April 2009; 9 June 2011; 18 January 2018; 25 October 2018; 14 May 2020]

Section 54. Candidate for a Judge of the Supreme Court

(1) A judge of a district (city) court or such judge of a regional court whose total length of service in the office of a judge is at least ten years and who has received a favourable opinion from the General Meeting of Judges of a department of the Supreme Court may apply for the office of a judge of the Supreme Court.

(1¹) In exceptional cases, a judge of a district (city) court who has been approved to the office for an unlimited term or a judge of a regional court who has a master's or doctoral degree, and who has received a favourable opinion from the General Meeting of Judges of a department of the Supreme Court. may apply for the office of a judge of the Supreme Court.

(2) A person whose total length of service in a position of an academic personnel in the legal specialities at a higher education institution, a sworn advocate or a prosecutor is at least 15 years, who has passed the qualification examination, and who has received a favourable opinion from the General Meeting of Judges of a department of the Supreme Court may apply for the office of a judge of the Supreme Court.

(3) A person who has been in the office of a Constitutional Court judge, a judge of an international court or a judge of a supranational court and has received a favourable opinion from the General Meeting of Judges of a department of the Supreme Court may apply for the office of a judge of the Supreme Court.

(4) To apply for the office of a judge of the Supreme Court, a person must have attained 40 years of age.

[19 June 2003; 3 April 2008; 30 April 2009; 3 June 2010; 9 June 2011; 18 January 2018]

Section 54.¹ Procedures for the Selection of a Candidate for the Office of a Judge of a District (City) Court and Regional Court

(1) The procedures for the selection of a candidate for the office of a judge of a district (city) court and regional court shall be determined by the Judicial Council and published in the official gazette *Latvijas Vēstnesis*.

(2) A candidate who has not been included in the list of candidates for the office of a judge may repeatedly participate in the selection of a candidate for the office of a judge of a district (city) court and regional court not earlier than a year after the day when the refusal to admit to the next round of selection or refusal to include in the list of candidates for the office of a judge has been received.

[18 January 2018; 14 May 2020]

Section 54.² Procedures for the Selection, Apprenticeship and Taking of Qualification Examination of a Candidate to the Office of a Judge of the Supreme Court

(1) Procedures for the selection, apprenticeship and taking the qualification examination of a candidate for the office of a judge of the Supreme Court shall be determined by the Judicial Council and published in the official gazette *Latvijas Vēstnesis*.

(1¹) The selection laid down in Paragraph one of this Section shall be organised if the persons referred to in Section 54, Paragraph three of this Law have not expressed a wish to apply for the office of a Supreme Court judge or have expressed a wish to apply for the office of a Supreme Court judge, however, have not received a favourable opinion from the General Meeting of Judges of a department of the Supreme Court.

(2) A candidate who has not passed the qualification examination may re-apply for the office of a judge not sooner than after a year. The time period of a year shall be counted from the day on which the candidate for the office of a judge received the refusal regarding his or her advancing for the position of a judge.

[18 January 2018; 3 September 2020]

Section 55. Persons who May Not become Candidates for the Office of a Judge

(1) The following persons may not be candidates for the office of a judge:

1) who have been previously convicted of committing a criminal offence (irrespective of whether the conviction has been extinguished or set aside), except for the case referred to in Paragraph two of this Section;

2) who have previously committed a criminal offence but have been released from serving the sentence because of the expiration of a limitation period, amnesty, or clemency, except for the case referred to in Paragraph two of this Section;

3) against whom criminal proceedings have been terminated for reasons other than exoneration, except for the case referred to in Paragraph two of this Section;

4) against whom a criminal prosecution has been commenced;

5) for whom insolvency proceedings have been declared and less than five years have passed since the day of their termination;

6) they have acquired the status of a debtor in accordance with the Maintenance Guarantee Fund Law;

7) who are or have been employed in staff positions or as supernumeraries of the State Security Committee of the U.S.S.R. or the Latvian S.S.R., the Ministry of Defence of the U.S.S.R., or the state security service, army intelligence service or counter-intelligence service of a foreign country, or as an agent, resident or safehouse keeper of the aforementioned institutions;

8) who are or have been participants (members) of organisations, which are prohibited by the laws of the Republic of Latvia, decisions of the Supreme Council, or court rulings, after the prohibition of such organisations;

9) who have been removed from the office of a judge, sworn bailiff, assistant of sworn bailiff, sworn notary, assistant of a sworn notary, excluded from the number of sworn advocates or assistants of sworn advocates or dismissed from the position of a prosecutor on the basis of a decision in a disciplinary case and five years have not been passed from entering into effect of the decision taken in a disciplinary case.

(2) A commission established by the Judicial Council may allow the person to whom the restrictions referred to in Paragraph one, Clause 1, 2, or 3 of this Section apply and who has committed a criminal violation or a less serious crime through negligence to participate in the selection of a candidate for the office of a judge if at least eight years have passed since the moment the person has been convicted or the decision to terminate criminal proceedings for reasons other than exoneration has been taken, but if the conviction has not been extinguished or set aside during this period - from the moment the conviction has been extinguished or set aside.

(3) The commission shall include representatives from associations of judges or prosecutors, from the commission that performs the selection of a candidate for the office of a judge of a district (city) court and regional court, from the Judicial Ethics Commission, and the Prosecutors Attestation Commission. The term of office of a member of the commission shall be four years.

(4) The Judicial Council shall determine the procedures by which the commission decides on the granting of the permission. When deciding on the permission to participate in the selection process, the commission shall evaluate:

1) the type, nature of the criminal offence committed by a person and his or her attitude towards it as well as the possible impact of the criminal offence on the fulfilment of office duties;

2) the activity of a person during the period from the commitment of the criminal offence until the day when the person applied for the permission;

3) the possible risks and impact on the public trust in the judicial power and the reputation of judicial power.

(5) The commission may request such information and opinions from State and local government institutions as well as private persons which are required to perform the evaluation referred to in Paragraph four of this Section. The Cabinet shall determine the scope of information and the procedures for the provision thereof.

(6) The decision of the commission may be appealed to a court in accordance with the procedures laid down in the Administrative Procedure Law.

[15 June 1994; 22 September 2005; 3 April 2008; 30 April 2009; 9 June 2011; 18 January 2018; Constitutional Court Judgment of 15 December 2022; 21 December 2023]

Section 56. Candidate for a Lay Judge

[16 June 2009]

Chapter 8 Nomination of Candidates for the Office of a Judge

Section 57. Nomination of a Candidate for the Office of a Judge of a District (City) Court and a Judge of a Regional Court

A candidate for the office of a judge of a district (city) court and a judge of a regional court who has been selected in accordance with the procedures laid down in Section 54.¹, Paragraph one of this Law has obtained the highest

number of points among the persons included in the list of candidates for the office of a judge and has agreed to hold the vacant office of a judge shall be nominated for appointing or approval by the Minister for Justice.

[14 May 2020]

Section 58. Nomination of Candidates for the Office of a Judge of a Regional Court

[15 October 1998]

Section 59. Nomination of Candidates for the Office of a Judge of the Supreme Court

A candidate for approval in the office of a judge of the Supreme Court shall be nominated by the President of the Supreme Court on the basis of a favourable opinion of the relevant department.

[18 January 2018]

Chapter 9 Procedures for the Appointment and Approval of Judges and their Term of Office

[16 June 2009]

Section 60. Procedures for the Appointment and Approval of Judges of a District (City) Court

(1) Judges of a district (city) court shall be appointed to office by the *Saeima*, upon a proposal of the Minister for Justice, for three years. Based on the decision of the *Saeima* to appoint a judge to the office of a judge of a district (city) court, the Judicial Council shall determine the specific district (city) court or its courthouse and the specific place for the fulfilment of the duties of a judge within the territory of operation of the court.

(2) After a judge of a district (city) court has held the office for three years, the *Saeima* shall, upon a proposal of the Minister for Justice and on the basis of the opinion of the Judicial Qualification Committee provided in the framework of the assessment of the professional activities of the judge, approve him or her in office for an unlimited term of office or shall re-appoint him or her to office for a period of up to two years. Time periods exceeding six months when a judge is on continuous leave for justified reasons shall not be included in the abovementioned time periods. After expiration of the repeated term of office, the *Saeima* shall, upon a proposal of the Minister for Justice, approve in office a judge of a district (city) court for an unlimited term of office.

(3) If the work of a judge is unsatisfactory, the Minister for Justice, on the basis of an opinion of the Judicial Qualification Committee provided in the framework of the assessment of the professional activities of the judge, shall not nominate the judge as a candidate for a repeated appointment to or approval in office.

(4) If a judge of a district (city) court is not nominated for approval in the office, the term of office of this judge shall expire concurrently with the term for which he or she was appointed to office.

[15 October 1998; 30 April 2009; 3 June 2010; 9 June 2011; 18 January 2018]

Section 61. Procedures for the Approval of a Judge of a Regional Court

Judges of a regional court shall be approved by the *Saeima*, upon a proposal of the Minister for Justice, for an unlimited term of office. Based on the decision of the *Saeima* to approve a judge to the office of a judge of a regional court, the Judicial Council shall determine the specific regional court or courthouse in which the duties of the judge are to be fulfilled.

[3 June 2010]

Section 62. Procedures for the Confirmation of a Judge of the Supreme Court

Judges of the Supreme Court, upon a proposal of the President of the Supreme Court, shall be approved in office by the *Saeima* for an unlimited term of office.

Section 63. Maximum Age for Holding the Office of a Judge

The maximum age for holding the office of a judge shall be 70 years.

[13 June 2013]

Section 64. Procedures for the Election of a Lay Judge

[16 June 2009]

Section 65. Procedures for the Invitation of a Lay Judge to Court

[16 June 2009]

Section 66. Granting of the Title of Judge Emeritus

The Judicial Council may grant the title of judge emeritus to a judge who has worked with integrity and has retired from the work of a judge.

[3 June 2010; 18 January 2018]

Chapter 9.¹ Remuneration and Service Pensions of Judges

[16 December 2010]

Section 66.¹ Remuneration of Judges

The remuneration of judges shall be determined in accordance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

Section 66.² Service Pensions of Judges

The grounds for granting a service pension to a judge, and also the procedures for the granting, calculation, and disbursement of service pensions shall be determined by a special law.

Chapter 10 Symbols of Judicial Power

Section 67. Symbols of Judicial Power

The symbols of judicial power shall be the oath of judges (solemn vow), the robe and the insignia of office.

[16 June 2009; 9 June 2011]

Section 68. Oath of Judges (Solemn Vow)

(1) Upon taking office, a judge shall give the following oath (solemn vow):

"I, _____, undertaking the duties of a judge, am aware of the responsibility entrusted to me, and swear (solemnly swear) to be honest and fair, to be loyal to the Republic of Latvia, to always endeavour to determine the truth, never to betray it, and to adjudge strictly in accordance with the Constitution and the laws of the Republic of Latvia."

(2) The oath (solemn oath) of a judge shall be accepted by the President.

(3) A judge shall take up the fulfilment of his or her duties after giving the oath (solemn oath).

[16 June 2009; 9 June 2011]

Section 69. Oath of Lay Judges

[16 June 2009]

Section 70. Procedures for Giving the Oath (Solemn Vow) of Judges

(1) A judge shall read the text of the oath (solemn vow). It shall be signed by the judge who has given the oath (solemn vow) and also the President.

(2) A judge shall give the oath (solemn vow), attired in his or her robes.

(3) After acceptance of the oath (solemn vow), the President shall issue the judge the insignia of office.

[16 June 2009; 9 June 2011]

Section 71. Judicial Robe and Insignia of Office

(1) A judge shall fulfil his or her duties, attired in robe and wearing the insignia of office.

(2) The insignia of office of a judge shall be conferred upon a judge when taking office.

(3) [21 July 2011]

(4) The Judicial Council shall approve the procedures for the use of the robe and insignia of office.

[29 January 1997; 22 September 2005; 3 June 2010; 9 June 2011; 21 July 2011]

Section 72. Judicial Identification Card

Judges shall be issued with an identification card, the form of which shall be approved by the Judicial Council.

[3 June 2010]

Section 73. Seal of a Court

A court shall have a seal, if provided for by a law or regulation, bearing the State coat of arms in accordance with the law On the State Coat of Arms of Latvia.

[13 June 2013; 25 October 2018 / Amendment to this Section regarding deletion of the words "and a Land Registry Office" shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Chapter 11 Procedures for the Transfer and Substitution of Judges

[3 June 2010]

Section 73.¹ Transfer of a Judge to the Vacant Office of a Judge

(1) The Judicial Council shall, on the basis of a favourable opinion of the Judicial Qualification Committee, decide on the transfer of a judge to a court or courthouse of the same level. Before giving its opinion, the Judicial Qualification Committee shall make the extraordinary assessment of the professional activities of a judge in cases where:

1) [21 July 2011];

2) a judge of a district (city) court has applied to a vacant office of a judge in the District Administrative Court or the Economic Court;

3) a judge of the District Administrative Court has applied to a vacant office of a judge in a district (city) court or the Economic Court;

3¹) a judge of the Economic Court has applied to a vacant office of a judge in a district (city) court or the District Administrative Court;

4) a judge of a regional court has applied to a vacant office of a judge in the Regional Administrative Court;

5) a judge of the Regional Administrative Court has applied to a vacant office of a judge in another regional court.

(2) The Judicial Council shall, on the basis of a favourable opinion of the Judicial Qualification Committee, decide on the transfer of a judge to work in a regional court. Before giving its opinion, the Judicial Qualification Committee shall make the extraordinary assessment of the professional activities of a judge in cases where:

1) [21 July 2011];

2) a judge of a district (city) court or a judge of the Economic Court has applied to a vacant office of a judge in the Regional Administrative Court;

3) a judge of the District Administrative Court or a judge of the Economic Court has applied to a vacant office of a judge in a regional court.

(2¹) The Judicial Council shall decide on the transfer of a judge to an office in a court of a lower level. A judge may be transferred to the office of a judge of a court of a lower level, if he or she has given a written consent.

(3) If the judge has received a favourable opinion, the Judicial Qualification Committee shall nominate him or her as a candidate for the transfer to an office. If several candidates who have received a favourable opinion apply for one vacant position, the Judicial Qualification Committee shall take a reasoned decision and nominate the most suitable candidate as the candidate for transfer to the office.

(4) The Judicial Council shall, upon a proposal of the President of the Supreme Court and on the basis of a favourable opinion from the General Meeting of Senators of a department of the Senate, decide on the transfer of a judge to the office of a judge of the Supreme Court.

[3 June 2010; 9 June 2011; 21 July 2011; 13 June 2013; 18 January 2018; 25 October 2018; 17 June 2020]

Section 73.² Transfer of a Judge if the Court is Being Reorganised

If a district (city) court is being reorganised in accordance with this Law, the Judicial Council shall, upon a proposal of the Minister for Justice, decide on the transfer of a judge of the district (city) court (also without his or her consent) to work in another district (city) court within the territory of operation of the same regional court or the territory of operation of another regional court, if the reorganised district (city) court is merged with a district (city) court which is located in the territory of operation of another regional court. The Judicial Council shall determine the procedures by which the respective proposal shall be prepared and examined in a meeting of the Judicial Council.

[18 June 2015; 18 January 2018]

Section 73.³ Transfer of a Judge within the Territory of Operation of the Court

Upon a proposal of the Minister for Justice, the Judicial Council shall decide on the transfer of a judge to another place for the fulfilment of the duties of a judge within the territory of operation of the court, if the judge has given his or her consent.

[18 January 2018]

Section 74. Substitution of the President of a District (City) Court

(1) In the temporary absence (illness, vacation or other) of the President of a district (city) court, this judge shall be substituted by the Deputy President of the district (city) court.

(2) If the Deputy President of the respective district (city) court has not been appointed, or has been appointed, but is temporarily absent, one of the judges of the respective court shall be appointed to substitute the President of the district (city) court upon an order of the Minister for Justice.

[25 October 2018 / The new wording of Section shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 75. Substitution of a Judge of a District (City) Court

(1) In case of a vacancy or temporary absence of a judge, the Judicial Council may, upon becoming acquainted with the opinion of the President of a court, upon a proposal of the Minister for Justice, appoint a judge of another district (city) court or a judge of a regional court to fulfil the duties of the judge of a district (city) court for a time period not exceeding two years if such person has agreed thereto in writing.

(2) [21 July 2011]

[3 June 2010; 21 July 2011; 18 January 2018; 14 May 2020]

Section 76. Substitution of the President of a Regional Court and his or her Deputy

(1) In the temporary absence of the President of a regional court, this judge shall be substituted by one of his or her deputies.

(2) In the temporary absence of a Deputy President of a regional court, this judge shall be substituted by a judge of the respective regional court upon an order of the President of the regional court.

Section 77. Substitution of a Judge of a Regional Court

(1) In case of a vacancy or temporary absence of a judge, the Judicial Council may, upon a proposal of the Minister for Justice, appoint a judge of another regional court to fulfil the duties of a judge of a regional court for a time period not exceeding two years, if such person has given a written consent.

(2) While there is a vacancy or in the temporary absence of a judge of a regional court, the Judicial Council may, upon a proposal of the Minister for Justice and upon a favourable opinion of the Judicial Qualification Committee, appoint a judge of a district (city) court to substitute the judge of the regional court for a time period not exceeding two years. The most suitable candidate shall be selected in accordance with the procedures laid down in Section 51, Paragraph three of this Law.

[15 October 1998; 2 November 2006; 1 December 2009; 3 June 2010; 18 January 2018]

Section 78. Substitution of the President and Chairpersons of the Departments of the Supreme Court

(1) In the temporary absence of the President of the Supreme Court, he or she shall, upon his or her order, be substituted by one of the chairpersons of departments.

(2) In the temporary absence of the Chairperson of a department, he or she shall, upon an order of the President of the Supreme Court, be substituted by one of the judges of the respective department.

[13 June 2013 / Amendments to the Section regarding reorganisation of the Supreme Court shall come into force on 1 January 2014. See Paragraph 73 of the Transitional Provisions]

Section 79. Substitution of a Judge of the Supreme Court

While there is a vacancy or in the temporary absence of a judge of the Supreme Court, the Judicial Council may, upon a proposal of the President of the Supreme Court and upon a favourable opinion of the relevant department, assign a judge of a regional court to substitute him or her for a time period not exceeding two years. The most suitable candidate shall be selected in accordance with the procedures laid down in Section 51, Paragraph three of this Law.

[18 January 2018]

Section 80. Remuneration for the Substitution of a Judge

[16 December 2010]

Chapter 12 Expiration of the Powers of a Judge, Removal or Dismissal of a Judge from the Office

[13 June 2013]

Section 80.¹ Expiration of the Powers of a Judge

The powers of a judge shall expire on the day when the term for which the judge has been appointed to the office ends, and also with attaining the maximum age for holding the office specified in this Law or death of the judge.

[13 June 2013]

Section 81. Procedures for the Removal or Dismissal of a Judge from Office

(1) In the cases provided for in Section 82, Paragraph one, Clauses 1 and 2 of this Law, a judge of a district (city) court or a judge of a regional court shall be removed from office by the *Saeima*, upon a proposal of the Minister for Justice, a judge of the Supreme Court shall be removed from office by the *Saeima*, upon a proposal of the Judicial Council of the Supreme Court, and the President of the Supreme Court shall be removed from office by the *Saeima*, upon a proposal of the Judicial Council.

(1¹) In the cases provided for in Section 82, Paragraph one, Clauses 3 and 5 of this Law, a judge of a district (city) court, a judge of a regional court and a judge of the Supreme Court shall be removed from office by the *Saeima*, upon a proposal of the Judicial Council.

(2) A judge of a district (city) court, regional court and the Supreme Court shall be dismissed from office by the *Saeima*, upon proposal of the Judicial Disciplinary Committee, but the President of the Supreme Court shall be dismissed from office by the *Saeima*, upon a proposal of the Judicial Disciplinary Committee, on the basis of an opinion of the Plenary Session of the Supreme Court. If a judge has been convicted and the judgment of the court has entered into legal effect, the judge shall be dismissed from office by the *Saeima*, upon a proposal of the Minister for Justice.

[15 October 1998; 9 June 2011; 13 June 2013]

Section 82. Removal of a Judge from Office

(1) A judge shall be removed from office:

- 1) upon his or her own wish;
- 2) in connection with election or appointment to another office;
- 3) due to his or her state of health if it does not allow him or her to continue to work as a judge;
- 4) [13 June 2013];

5) if he or she has repeatedly received an unfavourable opinion in the assessment of his or her professional work.

(2) [15 October 1998]

[15 October 1998; 9 June 2011; 13 June 2013]

Section 83. Dismissal of a Judge from Office

A judge shall be dismissed from office:

- 1) if the judge has been convicted, and the judgment of the court has entered into legal effect;
- 2) on the basis of a decision of the Judicial Disciplinary Committee.

[15 October 1998]

Section 84. Suspension of a Judge from the Performance of Office Duties

(1) If a disciplinary matter against a judge has been initiated for a violation which is not compatible with the status of a judge, the Judicial Disciplinary Committee shall, upon its own initiative or upon a proposal of the initiator of the disciplinary matter, suspend the judge from the performance of office duties in accordance with the procedures laid down in the Judicial Disciplinary Liability Law.

(2) [14 May 2020]

(2¹) In the case referred to in Paragraph one of this Section, a judge shall be suspended from the performance of office duties until the day when the final decision in the case enters into effect. The following shall be considered the final decision in a case:

- 1) the decision to terminate the disciplinary matter or the decision of the Judicial Disciplinary Committee to restrict themselves to the examination of the disciplinary matter at a sitting, without the imposition of a disciplinary sanction;
- 2) the decision to impose a disciplinary sanction;
- 3) the decision in criminal proceedings by which the judge has obtained the procedural status - a person who has the right to defence;
- 4) the decision of the *Saeima* to dismiss the judge from the office when the dismissal of the judge from the office has been suggested to the *Saeima*.

(3) If in a criminal proceeding a judge has obtained the procedural status - a person who has the right to defence - he or she shall be suspended from the fulfilment of the duties of the office as of the moment when the relevant court has received a notification (information) from the person directing the proceedings until the settlement of criminal and legal relations in criminal proceedings.

(4) The President of the Supreme Court or the Minister for Justice shall appoint a judge who has been suspended from the office for work in a court, the Ministry of Justice, or the Court Administration in an office which is not an office of a public official for the duration of suspension with his or her consent, disbursing the work remuneration specified for the relevant work. If a judge does not agree to being appointed for another work, the minimum monthly wage determined in the State at the time of suspension shall be disbursed to him or her. If the decision to terminate criminal proceedings has entered into effect and the grounds for termination are related to circumstances exonerating the person, or the decision referred to in Paragraph 2.¹, Clause 1 or 2 of this Section has entered into effect, or if a court has given an acquittal judgment in a criminal case, the monthly wage that was not disbursed for the whole period of suspension and also supplements shall be disbursed to him or her.

[13 June 2013; 14 May 2020]

Section 85. Removal of a Lay Judge from Fulfilling the Duties of a Lay Judge

[16 June 2009]

Chapter 13 Rights and Obligations of Judges

[16 June 2009]

Section 86. Rights and Freedoms of Judges

(1) A judge shall have the rights and freedoms of a citizen specified in law. A judge shall exercise these rights and

freedoms so that the dignity and honour of the court and judges, impartiality, and the independence of the court do not suffer.

(2) Judges may freely join together in organisations which protect their independence, promote their professional development, and defend their rights and interests.

(3) The office of a judge may not be combined with membership in a party or other political organisation.

(4) [23 May 1996]

(5) A judge is not allowed to strike.

(6) A judge may submit proposals on issues concerning the explanation of laws to the Judges' Conference, and also directly to the Supreme Court.

[15 June 1994; 23 May 1996]

Section 86.¹ Right of Judges to Hold Other Offices

(1) A judge with his or her consent and the permission of the Court President may be appointed for work in another court (also courts of higher instance) in an office that is not the office of a judge, in the Ministry of Justice, the Court Administration, international court, international organisation, or another institution within the scope of an international project (hereinafter - another authority) for a specific period of time.

(2) The order on appointing a judge for work in another authority for a determined period shall be issued by the Minister for Justice. The order on appointing a judge of the Supreme Court for work in another authority for a determined period shall be issued by the President of the Supreme Court after the consent of the Chairperson of the relevant department has been received.

(3) A judge may be appointed for work in another authority for a time period which does not exceed two years. During this period, the judge may not fulfil the duties of a judge in the court from which he or she has been appointed for work in another authority.

(4) [16 December 2010]

(5) Work in another authority shall be counted in the length of the service of the judge.

[31 October 2002; 22 September 2005; 23 February 2006; 16 December 2010; 13 June 2013; 18 January 2018]

Section 87. Security Guarantees for Judges

Judges have the right to receive protection for themselves and members of their family, and also for their property and that of the members of their family.

Section 88. Employment Rights Guarantees to Lay Judges

[16 June 2009]

Section 89. Duties of Judges

(1) In administering justice, a judge shall precisely fulfil the requirements of law, shall ensure the protection of the rights, freedoms, honour and dignity of human beings, and shall be fair and humane.

(2) [16 June 2009]

(3) A judge does not have the right to disclose the confidential deliberations of judges, and the non-disclosable information which has been acquired during closed court hearings.

(4) Outside the court, a judge must avoid everything which might diminish the authority of the court to administer justice or the dignity of the judge or cause doubts of their impartiality and fairness.

(5) A judge has the obligation to continuously enhance his or her knowledge throughout his or her career as a judge.

(5¹) During the first year after the first appointing to the office of a district (city) judge or after approval to the office of a judge of regional court, the judge has an obligation to complete the course for the training of new judges.

(6) A judge shall ensure that a ruling to be drawn up in the form of an individual procedural document is processed and inserted in the Court Information System.

[16 June 2009; 9 June 2011; 13 June 2013; 14 May 2020]

Chapter 13.¹

Judicial Council

[3 June 2010]

Section 89.¹ Judicial Council

The Judicial Council is a collegial authority which participates in the development of the policies and strategies for the judicial system, and also the improvement of the organisation of the work of the judicial system.

Section 89.² Composition of the Judicial Council

(1) The composition of the Judicial Council shall include the following permanent members:

- 1) the President of the Supreme Court;
- 2) the President of the Constitutional Court;
- 3) the Minister for Justice;
- 4) the Chairperson of the Judicial Committee of the *Saeima*;
- 5) the Prosecutor General;
- 6) the Chairperson of the Latvian Council of Sworn Advocates;
- 7) the Chairperson of the Latvian Council of Sworn Notaries;
- 8) the Chairperson of the Latvian Council of Sworn Bailiffs.

(2) The composition of the Judicial Council shall include the following elected members:

- 1) a judge elected by the Plenary Session of the Supreme Court;
- 2) six judges elected by the Judges' Conference.

(3) The Judges' Conference shall elect four members of the Judicial Council from among the judges of district (city) courts, and two from among the judges of regional courts.

(4) The Ombudsman and the Director of the Court Administration or an authorised representatives thereof, a representative delegated by experts in jurisprudence approved by the Latvian Academy of Sciences, and also representatives from judge associations may participate in the work of the Judicial Council in an advisory capacity.

(5) The permanent member (official) referred to in Paragraph one of this Section may authorise another person for the participation in a meeting of the Judicial Council.

[25 October 2018 / The new wording of Paragraph three shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 89.³ Term of Office of the Members of the Judicial Council

(1) The term of office of an elected member of the Judicial Council shall be four years. A member of the Judicial Council may be re-elected, but for not more than two consecutive times.

(2) If the powers of an elected member of the Judicial Council for some reason expire before the end of the term of office, another member of the Judicial Council shall be elected at the next meeting of the Judges' Conference for the term of office specified in Paragraph one of this Section.

Section 89.⁴ Restriction for the Elected Members of the Judicial Council

The status of an elected member of the Judicial Council may not be combined with the fulfilment of the duties of a member of the Judicial Disciplinary Committee, a member of the Disciplinary Court, a member of the Judicial Qualification Committee or a member of the Judicial Ethics Commission.

Section 89.⁵ Suspension and Recusal of a Member of the Judicial Council

(1) The Judicial Council shall suspend an elected member of the Judicial Council from the fulfilment of the duties of a member of the Judicial Council, if the Minister for Justice or the President of the Supreme Court has suspended the relevant judge from the fulfilment of the duties of the office of a judge in accordance with Section 84 of this Law.

(2) If a member of the Judicial Council considers that there are circumstances which could give rise to justifiable doubt as to his or her impartiality in deciding any matter, he or she shall recuse themselves from participation in the deciding of the relevant matter.

(3) When the matter of submitting the application of the Judicial Council on the initiation of a case to the Constitutional Court is being decided, the President of the Constitutional Court shall not participate in the deciding of this matter.

Section 89.⁶ Expiry of the Powers of a Member of the Judicial Council

(1) The powers of an elected member of the Judicial Council shall expire if:

- 1) his or her term of office as a member of the Judicial Council is terminated;
- 2) his or her powers as a judge have terminated;

3) he or she renounces the fulfilment of the duties of a member of the Judicial Council, notifying the Chair of the Judicial Council thereof in writing.

(2) The powers of a permanent member (official) of the Judicial Council shall expire if his or her official powers have expired.

(3) If a judge who has been elected to the composition of the Judicial Council is transferred to a court of a different level, he or she shall retain the powers as a member of the Judicial Council until the next Judges' Conference, at which another representative from the court of the corresponding level is elected.

Section 89.⁷ Chair of the Judicial Council

(1) The President of the Supreme Court is the Chair of the Judicial Council.

(2) The Chair of the Judicial Council shall:

- 1) lead the work of the Judicial Council;
- 2) convene meetings of the Judicial Council and determine their agenda;
- 3) represent the Judicial Council and sign decisions and other documents of the Judicial Council.

Section 89.⁸ Deputy Chair of the Judicial Council

(1) The Judicial Council shall elect a Deputy Chair of the Judicial Council from among the judges represented therein.

(2) The Deputy Chair of the Judicial Council shall fulfil the duties of the Chair of the Judicial Council in the absence thereof, and also fulfil other duties determined by the Chair of the Judicial Council.

Section 89.⁹ Convening of Meetings and Taking of Decisions of the Judicial Council

(1) The meetings of the Judicial Council shall be convened and led by its Chair.

(2) The Chair shall convene a meeting of the Judicial Council upon his or her own initiative or if requested by not less than one third of the members of the Judicial Council.

(3) The time and agenda of a meeting of the Judicial Council shall be notified to the members of the Council not later than three days before the meeting.

(4) The Judicial Council is entitled to take decisions, if at least two-thirds of the members of the Judicial Council participate in the meeting.

(5) Decisions of the Judicial Council shall be taken by voting. In the case of a tied vote, the vote of the Chair of the Judicial Council shall be the deciding vote.

(6) Meetings of the Judicial Council shall be open, unless the Judicial Council has decided otherwise.

(7) The Judicial Council shall develop and approve the regulations for the determining of its operational procedures.

Section 89.¹⁰ Ensuring the Work of the Judicial Council

The work of the Judicial Council shall be ensured by the secretariat of the Judicial Council which is a division of the Supreme Court.

[18 January 2018]

Section 89.¹¹ Functions of the Judicial Council

(1) The Judicial Council shall provide an opinion on the territories of operation of courts and courthouses and their location, and also on the budget requests of courts.

(2) After appointment or approval to the office of a judge, the Judicial Council shall specify a court or courthouse having the respective place for the fulfilment of the duties of a judge within the territory of operation of the court, and also decide on the transfer of a judge in the cases provided for in this Law.

(3) The Judicial Council shall hear the candidates for the office of a judge of the Constitutional Court and provide an opinion on them to the *Saeima*.

(4) The Judicial Council shall hear the candidates for the office of the President of the Supreme Court and provide an opinion on them to the Plenary Session of the Supreme Court.

(4¹) The Judicial Council shall evaluate the candidates for the office of the Prosecutor General, select the most appropriate one, and nominate him or her to the *Saeima* for appointing to the office of the Prosecutor General.

(5) The Judicial Council shall approve the regulation of the Judges' Conference, and also convene the Judges' Conference, determining the matters to be examined therein.

(6) The Judicial Council shall approve the basic principles for the specialisation of judges and the procedure for the determination of the case workload indicators, and also develop guidelines in the other matters of the court work organisation.

(7) The Judicial Council shall hear the annual report of the Court Administration on the work results.

(8) In the cases and in accordance with the procedures laid down by the Constitutional Court Law, the Judicial Council may submit an application for the initiation of a case to the Constitutional Court.

(9) The Judicial Council shall determine the content of and procedures for the inspection of the professional knowledge of a judge, and also approve the sample documents necessary for the inspection of the professional knowledge of a judge.

(9¹) [9 June 2011]

(9²) Upon a proposal of the President of the Supreme Court or the Minister for Justice, the Judicial Council shall approve the content of the training programmes of judges and court employees.

(10) The Judicial Council shall perform other functions specified in law.

(11) Upon a proposal of the Minister for Justice, the Judicial Council shall decide on the transfer of a vacant office of a judge within the territory of operation of the court.

[16 December 2010; 9 June 2011; 21 July 2011; 18 January 2018; 25 October 2018; 27 February 2020]

Section 89.¹² Appeal of a Decision of the Judicial Council

(1) A judge to whom the decision of the Judicial Council on the establishment, amendment, or termination of legal relations is addressed may appeal it to the Disciplinary Court.

(2) The provisions of the Judicial Disciplinary Liability Law in relation to the preparation and examination of the complaints regarding decisions of the Judicial Disciplinary Committee shall also be applicable to the preparation and examination of complaints regarding decisions of the Judicial Council, insofar as this Law does not provide otherwise.

(3) When examining a complaint regarding a decision of the Judicial Council, the Disciplinary Court may:

1) leave the decision of the Judicial Council unamended and reject the complaint;

2) revoke the decision of the Judicial Council, and send files for re-examination to the Judicial Council;

3) terminate the case, if the term for the submission of a complaint has been missed or the complaint has been withdrawn.

(4) Decisions of the Disciplinary Court enter into effect at the time of their notification and may not be appealed.

[18 January 2018]

Chapter 14

Disciplinary Liability of Judges

Section 90. Disciplinary Liability of Judges

The grounds and procedures for holding a judge disciplinary liable shall be determined by a special law.

[15 October 1998]

Section 91. Procedures by which a Judge shall be Held Disciplinary Liable

[15 October 1998]

Chapter 14.¹

Judicial Ethics Commission

[3 April 2008]

Section 91.¹ Judicial Ethics Commission

Judicial Ethics Commission is a collegial judicial self-government authority the main objective of which is to provide opinions on the interpretation and violations of ethical rules, and also to explain rules of judicial ethics.

Section 91.² Functions of the Judicial Ethics Commission

The Judicial Ethics Commission shall have the following functions:

- 1) upon a request of the person who has the right to initiate a disciplinary case, and also upon request of Judicial Disciplinary Committee or the Disciplinary Court, to provide opinions on the interpretation and violations of ethical rules;
- 2) upon its initiative or request of a judge, to explain and analyse the rules of the Code of Judicial Ethics, and also to consult judges on the ethics issues;
- 3) to compile and prepare for publishing findings and explanations of the interpretation and application of the ethical rules;
- 4) to discuss violations of the ethical rules;
- 5) to develop the rules of the Code of Judicial Ethics and submit them for confirmation to the Judges' Conference;
- 6) to decide on the initiation of a disciplinary case.

[3 June 2010]

Section 91.³ Composition of the Judicial Ethics Commission

(1) The Judicial Ethics Commission shall consist of ten members which are elected by the Judges' Conference by a secret ballot.

(2) The Judges' Conference shall elect five members of the Judicial Ethics Commission from among the candidates nominated by the judges of district (city) courts, three - from among the candidates nominated by the judges of the regional courts, and two - from among the candidates nominated by the Supreme Court.

(3) A judge, judge emeritus or a person whose powers of the judge have expired upon reaching the maximum age for holding the office specified in the Law may be nominated as a member of the Judicial Ethics Commission and elected in this Commission. A candidate for a member of the Judicial Ethics Commission must have an impeccable reputation and understanding of the role of ethics in the work of a judge and legal ethics matters.

(4) The term of office of a member of the Judicial Ethics Commission shall be four years. A member of the Judicial Ethics Commission may be re-elected, but not more than two consecutive times.

(5) The status of a member of the Judicial Ethics Commission may not be combined with the fulfilment of duties of a member of the Judicial Disciplinary Committee, a member of the Disciplinary Court, a member of the Judicial Qualification Committee, or a member of the Judicial Council.

[3 June 2010; 13 June 2013; 25 October 2018 / The new wording of Paragraph two shall come into force on 1 June

2019. See Paragraph 95 of Transitional Provisions]

Section 91.⁴ Operation of the Judicial Ethics Commission

(1) The Judicial Ethics Commission shall work in accordance with the rules of procedures. The rules of procedure shall be approved by the Judicial Council.

(2) The first meeting of the Judicial Ethics Commission shall be convened by the President of the Supreme Court not later than within a month after the day of election of the Commission.

(3) At least six members of the Judicial Ethics Commission must participate in the meeting of the Judicial Ethics Commission.

(4) The Judicial Ethics Commission shall provide a report to the Judges' Conference on its work once a year.

(5) The Judicial Ethics Commission may invite a judge of Constitutional Court, a representative of the professions belonging to judicial power, ethics specialist or recognised legal expert to participate in its meeting in an advisory capacity.

(6) The Court Administration shall ensure the work of the Judicial Ethics Commission.

[9 June 2011]

Chapter 15 Judges' Conference. Judicial Qualification Committee.

Assessment of the Professional Activities of a Judge

[9 June 2011 / The new wording of the name of the Chapter shall come into force on 1 January 2013. See Paragraph 44 of the Transitional Provisions]

Section 92. Judges' Conference

(1) The Judges' Conference is a judicial self-government authority in the work of which judges of the Supreme Court, regional courts, and district (city) courts participate with voting rights.

(2) The Judges' Conference shall:

1) examine current issues of court practice;

2) submit to the President of the Supreme Court submissions on issues of legal norm interpretation which should be discussed in the Plenary Session of the Supreme Court;

3) discuss issues of financial and social security, and other significant issues concerning the work of judges;

3¹) shall, by secret ballot elect the members of the Judicial Council for four years;

4) by secret ballot, elect the Judicial Qualification Committee for four years;

5) by secret ballot, elect the Judicial Disciplinary Committee for four years;

6) by secret ballot, elect the Judicial Ethics Commission for four years;

7) approve the rules of the Code of Judicial Ethics.

(3) [25 October 2018]

[29 January 1997; 15 October 1998; 31 October 2002; 22 September 2005; 3 April 2008; 3 June 2010; 9 June 2011; 25 October 2018 / Amendments to the Section shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 93. Judicial Qualification Committee

(1) The Judicial Qualification Committee is a judicial self-government authority which assesses the professional activities of judges.

(2) The Judicial Qualification Committee shall be composed of one judge from the Department of Administrative Cases of the Supreme Court, one judge from the Department of Civil Cases of the Supreme Court, one judge from the Department of Criminal Cases of the Supreme Court, one judge from the Judicial Panel of Civil Cases of a regional

court, one judge from the Judicial Panel of Criminal Cases of a regional court, one judge from the Regional Administrative Court and three judges from district (city) courts. The Judges' Conference shall, by secret ballot, elect the Judicial Qualification Committee. A judge whose knowledge and experience are highly valued by specialists in the judicial sector and judges may be nominated and elected as a member of the Judicial Qualification Committee.

(2¹) The status of a member of the Judicial Qualification Committee may not be combined with the fulfilment of the duties of a member of the Judicial Council, a member of the Judicial Disciplinary Committee, a member of the Disciplinary Court or a member of the Judicial Ethics Commission.

(3) The Chairperson of the Judicial Committee of the *Saeima*, the Minister for Justice, the Prosecutor General, the President of the Supreme Court or persons authorised thereby, a representative delegated by experts in jurisprudence approved by the Latvian Academy of Sciences, and also representatives from judge associations may participate in meetings of the Judicial Qualification Committee in an advisory capacity.

(4) The Judicial Qualification Committee shall elect the Chairperson and the Deputy Chairperson of the Judicial Qualification Committee from among its members.

(5) The Judicial Qualification Committee has a quorum, if at least seven members of the Judicial Qualification Committee participate in its meeting.

(6) The operation of the Judicial Qualification Committee shall be ensured by the Court Administration.

[15 October 1998; 22 September 2005; 3 June 2010; 9 June 2011; 13 June 2013; 25 October 2018 / Amendment to Paragraph two regarding substitution of the words "two judges from district (city) courts, and one judge from Land Registry Office" with the words "three judges from district (city) courts" shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 93.¹ Appeal of an Opinion of the Judicial Qualification Committee

(1) A judge may appeal an opinion of the Judicial Qualification Committee to the Disciplinary Court.

(2) The regulations of the Judicial Disciplinary Liability Law in relation to the preparation and examination of a complaint regarding a decision of the Judicial Disciplinary Committee shall also be applicable to the preparation and examination of an opinion of the Judicial Qualification Committee, insofar as this Law does not provide otherwise.

(3) When examining a complaint regarding an opinion of the Judicial Qualification Committee, the Disciplinary Court may:

1) leave the opinion of the Judicial Qualification Committee unamended and reject the complaint;

2) revoke the opinion of the Judicial Qualification Committee and send the files for re-examination to the Judicial Qualification Committee.

[9 June 2011]

Section 93.² Availability of Assessment Materials and Opinions

(1) The opinions and assessment materials of the Judicial Qualification Committee is restricted access information.

(2) The opinions and assessment materials of the Judicial Qualification Committee shall be available to State authorities, if they need them for the performance of their functions. The recipient of the information shall ensure these opinions and materials the protection provided for by law.

[9 June 2011]

Section 94. Powers and Operation of the Judicial Qualification Committee

(1) [14 May 2020]

(1¹) The Judicial Qualification Committee shall assess the professional preparedness of a candidate for the office of a judge of the Supreme Court by conducting the qualification examination.

(2) The Judicial Qualification Committee shall, based on an application for the transfer of a judge to work in another court or its courthouse and the documents appended thereto, assess the professional activities of the judge and, if necessary, also the professional preparedness of the judge for the vacant office of a judge, and provide an opinion in the cases specified in this Law on the nominations of a judge for district (city) courts or regional courts.

(2¹) The Judicial Qualification Board shall, upon receipt of a proposal of the President of a district (city) court, a regional court, or the Supreme Court, decide on extraordinary assessment of the professional activities of a judge.

(3) [9 June 2011]

(4) The Judicial Qualification Committee shall operate in accordance with the rules of procedure. The rules of procedure shall be approved by the Judicial Council.

[3 April 2008; 3 June 2010; 9 June 2011; 18 January 2018; 25 October 2018; 14 May 2020]

Section 94.¹ Objective and Frequency of the Assessment of the Professional Activities of a Judge

(1) The objective of the assessment of the professional activities of a judge is to promote the continuous professional growth of a judge throughout his or her career, thereby improving the quality of the work of the judge and the court.

(2) The Judicial Qualification Committee shall make the regular assessment of the professional activities of a judge once every five years following the approval of the judge for the office with an unlimited term of office.

(3) The Judicial Qualification Committee shall also make the regular assessment of the professional activities of a judge before the re-nomination of a district (city) court judge as a candidate for the re-appointment or re-approval to office with an unlimited term of office.

[9 June 2011 / Section shall come into force from 1 January 2013. See Paragraph 45 of the Transitional Provisions]

Section 94.² Assessment of the Professional Activities of a Judge

(1) When assessing the professional activities of a judge, the Judicial Qualification Committee shall analyse the following professional activities of a judge and their results:

1) the structure of the prepared rulings, the legal reasoning provided therein, the application of material and procedural norms, and also the use of ancillary legal sources;

2) the management of the court procedure;

3) the organisation of work for ensuring the examination of court cases;

4) the compliance with the regulations regarding the organisation of work and the orders of the President;

5) the participation in measures for improving qualification (including the acquisition of a master's degree or doctoral degree), and also the teaching and scientific activities;

6) public activities (participation in judicial self-government authorities, in the development and improvement of draft laws and regulations, the provision of opinions on legal matters to the *Saeima*, the Constitutional Court and other institutions);

7) statistical data on the work of the judge.

(2) Based on the analysis of the professional activities of a judge, the Judicial Qualification Committee shall provide an assessment of the following professional skills of a judge:

1) acquisition and analysis of information in order to make justified conclusions;

2) taking of decisions by evaluating information and using different approaches in resolving a problem;

3) explanation of their opinion and arguing of its correctness;

4) analysis of their actions and hearing of criticism;

5) ability to compromise in problem situations;

6) ability to maintain emotional equilibrium in stressful situations.

[9 June 2011 / Section shall come into force from 1 January 2013. See Paragraph 45 of the Transitional Provisions]

Section 94.³ Procedures for the Assessment of the Professional Activities of a Judge

(1) For the assessment of the professional activities of a judge of a district (city) court or, regional court, the President of the relevant court, and the President of a higher instance court shall provide feedback on the work of the judge, including information on the quality of the rulings given thereby, the quality of the management of the court procedures, the improvement of the professional and academic qualification and other professional activities.

(2) The President of the Supreme Court shall provide the feedback provided for in Paragraph one of this Section on the work of a judge of the Supreme Court.

(3) The Court Administration shall compile and submit to the Judicial Qualification Committee the feedback provided by the President of a court and the President of a higher instance court on the work of a judge of a district (city) court or a regional court.

(4) The Administration of the Supreme Court shall compile and submit to the Judicial Qualification Committee the feedback on the work of a judge of the Supreme Court.

(5) A judge shall submit a self-appraisal of his or her own professional activities to the Judicial Qualification Committee.

(6) If the received feedback does not provide sufficient information, prior to the assessment of the professional activities of a judge, the Judicial Qualification Committee may request the Court Administration to compile the feedback of the judges and court employees of the relevant court on the work of the judge, and also survey other participants in the procedure.

(7) The Chairperson of the Judicial Qualification Committee may order any member of the Committee to selectively become acquainted with the rulings given and procedures managed by a judge (with recordings of the procedures).

(8) The professional activities of a judge shall be assessed at a meeting of the Judicial Qualification Committee, with the participation of the judge whose professional activities are being assessed. If the judge fails to appear at the meeting without a justified reason, professional activities of this judge may be assessed in his or her absence.

(9) Prior to the meeting the Judicial Qualification Committee shall become acquainted with the materials submitted regarding the work of the judge and with the judge's self-appraisal of the professional activities. The Court Administration and the Administration of the Supreme Court shall acquaint the judge whose professional activities are being assessed with the relevant materials in a timely manner before the meeting the Judicial Qualification Committee.

(10) The Judicial Qualification Committee shall provide a favourable or unfavourable opinion on the professional activity of a judge.

[9 June 2011; 25 October 2018 / Amendment to Paragraphs one and three regarding deletion of the words "and a Land Registry Office" shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 94.⁴ Re-assessment of the Professional Activities of a Judge

(1) If a judge has received an unfavourable opinion in the assessment of the professional activities or the extraordinary assessment of the professional activities, when the extraordinary assessment has been made based on a decision of the Judicial Disciplinary Committee, a proposal of the President of a district (city) court, a regional court, or the Supreme Court, the re-assessment of the professional activities of the judge shall be made within the time period specified by the Judicial Qualification Committee, however, not later than within two years from the previous assessment, with the participation of the judge whose professional activities are being re-assessed. If the judge fails to appear at the meeting without a justified reason, professional activities of this judge may be assessed in his or her absence.

(2) If a judge has received an unfavourable opinion in the re-assessment of his or her professional activities, he or she shall be dismissed from office.

[9 June 2011; 6 September 2018; 14 May 2020]

Section 94.⁵ Extraordinary Assessment of the Professional Activities of a Judge

(1) The extraordinary assessment of the professional activities of a judge shall be made in the cases specified in this Law, when deciding on the transfer or substitution of the judge, and based on the decision of Judicial Disciplinary Committee in accordance with the Judicial Disciplinary Liability Law.

(1¹) The Judicial Qualification Board shall decide on the extraordinary assessment of the professional activities of a judge if, in accordance with the procedures laid down in this Law, a proposal of the President of a district (city) court, a regional court, or the Supreme Court has been received.

(2) When making the extraordinary assessment of the professional activities of a judge, the Judicial Qualification Committee shall inspect the professional knowledge of the judge.

(3) When making the extraordinary assessment of the professional activities of a judge, in addition to the inspection of the professional knowledge of the judge, the Judicial Qualification Committee shall also make the regular assessment of the professional activity of the judge, if more than three years have passed since the last assessment.

(4) When making the extraordinary assessment of the professional activities of a judge, the judge whose professional activities are being assessed shall participate in the meeting of the Judicial Qualification Committee.

(5) When making the extraordinary assessment of the professional activities of a judge, the Judicial Qualification Committee shall provide a favourable or unfavourable opinion.

[9 June 2011; 6 September 2018; 14 May 2020]

Section 95. Judicial Qualification Committee of District (City) Courts

[15 October 1998]

Section 95.¹ Judicial Qualification Committee of Land Registry Offices

[15 October 1998]

Section 96. Judicial Qualification Committee of Regional Courts

[15 October 1998]

Section 97. Judicial Qualification Committee of the Supreme Court

[15 October 1998]

Section 98. Qualification Classes of Judges

[9 June 2011 / See Paragraph 47 of the Transitional Provisions]

Chapter 15.¹ Land Registry Offices and Judges of Land Registry Offices

[21 July 2011]

Section 98.¹ Status of Land Registry Offices

[21 July 2011]

Section 98.² Composition of a Land Registry Office

[21 July 2011]

Section 98.³ Substitution of a Judge of a Land Registry Office

[21 July 2011]

Part III A Officials of the Court and Persons and Institutions Belonging to the Judicial System

[29 January 1997; 14 October 1998]

Chapter 16 Court Employees

[19 June 2003]

Section 99. Assistant to a Judge

(1) An assistant to a judge shall receive visitors and their submissions, take measures in connection with the preparation of cases for examination at a court hearing, and also perform other tasks assigned by the judge.

(2) [15 October 1998]

[15 October 1998]

Section 100. Court Consultant

(1) A court consultant shall generalise and analyse court practice and statistics, and also perform other methodological work.

(2) [15 October 1998]

[15 October 1998]

Section 101. Head of the Chancellery

(1) The head of the chancellery shall manage and organise the work of the court chancellery.

(2) Court recorders and other employees of the court chancellery shall work under the management of the head of the chancellery.

[18 January 2018]

Section 102. Court Recorder

A court recorder shall participate in court hearings in all cases when, according to law, the minutes of a court hearing must be recorded.

Section 103. Process Server

A process server shall deliver court summonses, indictments and other documents to the addressees thereof.

Section 104. Court Interpreter

In the cases specified in law, a court interpreter shall take part in court hearings, and also translate court documents.

Section 105. Court Administrator

A court administrator shall ensure the provision of the material necessities of the court, the arrangement of suitable premises and order in the court.

Section 105.¹ Consultative Analytical Personnel

The Court President has the right in conformity with the approved structure to hire specialists for an unlimited time or in conformity with the possibilities of the budget - for a specific time for the performance of a specific task, determining the monthly salary in accordance with the laws and regulations.

[19 June 2003; 3 June 2010]

Section 106. Employment Legal Relations of Court Employees

(1) A court employee shall establish the employment legal relations in accordance with the procedures laid down in the Labour Law.

(2) The remuneration of a court employee shall be determined in accordance with the Law on Remuneration of Officials and Employees of State and Local Government Authorities.

[19 June 2003; 22 September 2005; 1 December 2009]

Chapter 16.¹ Persons Belonging to the Judicial System

[29 January 1997]

Section 106.¹ Prosecutors

(1) Prosecutors are officials belonging to the judicial system who participate in the examination of cases in a court and fulfil other duties in accordance with law.

(2) The rights and duties of a prosecutor in a court are determined by the laws on civil procedure, criminal procedure, and administrative procedure.

(3) The Office of the Prosecutor Law determines the activities of a prosecutor.

Section 106.² Sworn Advocates

(1) Sworn advocates are persons belonging to the judicial system who provide legal assistance and fulfil other duties in accordance with law. Sworn advocates are assigned to regional courts.

(2) Sworn advocates participate in the examination of cases as counsel or representative. Only members of the Latvian Collegium of Sworn Advocates have the rights of a sworn advocate. The laws on civil procedure, criminal procedure and administrative procedure determine the rights and duties of a sworn advocate in a court.

(3) An advocate of a foreign country may be a counsel or a representative in the examination of a case only in the cases and in accordance with the procedures specified by international agreements.

(4) In the cases specified by law, an assistant to a sworn advocate also has the rights and duties of an advocate.

(5) The Advocacy Law determines the activities of a sworn advocate.

(6) Other persons who, on the basis of a power of attorney, represent persons in court shall not have the rights and the duties of a sworn advocate.

Section 106.³ Sworn Notaries

(1) Sworn notaries are persons belonging to the judicial system who are assigned to regional courts and fulfil their duties as specified by law. In respect of official activities, sworn notaries are considered equivalent to State officials.

(2) In the cases specified by law, an assistant to a sworn notary and a sworn notary candidate also have the rights and duties of a sworn notary.

(3) The Notariate Law determines the activities of a sworn notary.

[31 October 2002]

Section 106.⁴ Sworn Bailiffs

(1) Sworn bailiffs are persons belonging to the judicial system who are assigned to regional courts and fulfil their duties as specified by law. In respect of official activities, sworn bailiffs are considered equivalent to State officials.

(2) In the cases specified in law, an assistant to a sworn bailiff and a sworn bailiff candidate also have the rights and duties of a sworn bailiff.

(3) The Law on Bailiffs determines the activities of a sworn bailiff.

[31 October 2002]

Chapter 16.² Institutions belonging to the Judicial System

[22 September 2005]

Section 106.⁵ Institutions belonging to the Judicial System

[22 September 2005]

Section 106.⁶ Orphan's and Custody Court

[22 September 2005]

Section 106.⁷ Parish Court

[22 September 2005]

Section 106.⁸ General Registry Department

[22 September 2005]

Part IV Authorities and Persons Whose Activities are Associated with the Exercise of Judicial Power

Chapter 17 Administration of Courts

[4 December 2003]

Section 107. Competence of the Ministry of Justice

(1) The Ministry of Justice is the leading State administration institution in the administration of courts and shall perform the functions specified in this Law.

(2) The Ministry of Justice shall:

- 1) issue internal regulations regarding organisational management issues of district (city) courts, regional courts;
- 2) request from district (city) courts, regional courts information which it needs for the performance of the functions laid down in laws and regulations;
- 3) handle organisational management of district (city) courts, regional courts;
- 4) [13 June 2013];
- 5) perform inspections in district (city) courts, regional courts.

[4 December 2003; 22 September 2005; 3 April 2008; 30 April 2009; 3 June 2010; 13 June 2013; 18 January 2018; 25 October 2018 / Amendments to Paragraph two regarding deletion of the words "and a Land Registry Office" shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 107.¹ Court Administration

(1) The Court Administration is an institution of direct administration subordinate to the Minister for Justice which organises and ensures the administrative work of district (city) courts, regional courts.

(2) The Court Administration shall:

- 1) [30 April 2009];
- 2) [13 June 2013];
- 3) deal with the personnel files of judges, courts;
- 4) ensure the work of the commission for the selection of candidates for the office of a judge;
- 5) prepare documents and take measures connected with the appointment of judges and their approval to the office, and also their suspension, dismissal, and removal from the office;
- 5¹) issue or prepare (if the replacement of a judge is to be determined in the case referred to in Section 74 of this Law) orders on vacations, business trips and training of judges;
- 6) prepare lists of offices of judges and approve the lists of offices of court employees;
- 7) approve court employees job descriptions;
- 8) upon co-ordination with the President, hire and dismiss court employees, issue orders on vacations, business trips and training of employees;
- 9) plan and ensure training of judges, court employees;
- 10) request from courts the necessary data and from the employees thereof - explanations;
- 11) ensure that a judge becomes acquainted with the files of a disciplinary case, and also send the files of a disciplinary case to the Judicial Disciplinary Committee;
- 12) impose disciplinary sanctions on court employees for the established employment discipline violations;
- 13) fulfil the duties of the manager and holder of the State unified computerised Land Registry and distribute the information entered in the State information system of court institutions;
- 14) compile statistical data from courts on their work, analyse the compiled data and provide proposals for the changes needed in statistical reports;

- 15) act with budget resources of courts;
- 16) plan income and expenditure resources of courts, and also analyse economic indicators;
- 17) prepare draft budgetary request for the provision of work of courts;
- 18) [13 June 2013];
- 19) ensure targeted and efficient use of State budget resources;
- 20) provide materials and technical resources to courts;
- 21) in cooperation with *valsts akciju sabiedrība "Tiesu namu aģentūra"* [State joint-stock company the Courthouse Agency], provide courts with working premises and the information and communication technology infrastructure;
- 22) once a year, provide a report to the Judicial Council on its work;
- 23) issue internal regulations regarding organisation of the administrative and economic work of district (city) courts, regional courts, and also carry out inspections;
- 24) ensure safety in the district (city) courts and regional courts. The Cabinet shall determine the essential safety requirements.

[22 September 2005; 30 April 2009; 3 June 2010; 21 July 2011; 13 June 2013; 26 September 2013; 18 January 2018; 25 October 2018; 14 May 2020]

Section 108. Functions of the Minister for Justice in Relation to Issues concerning the Organisational Management of the Courts

The Minister for Justice shall:

- 1) require explanations from judges;
- 2) order the Court Administration to perform an audit of district (city) courts, regional courts, if necessary, by involving the judges the Supreme Court and judges of regional courts, after co-ordination with the President concerned;
- 3) initiate disciplinary cases against judges;
- 4) supervise the fulfilment of the duties of the Presidents of regional courts and district (city) courts and their deputies, and also Chairpersons of courthouses of regional courts and district (city) courts, including may request an explanation on issues which are related to the work management of a court, courthouse.

[22 September 2005; 3 June 2010; 13 June 2013; 25 October 2018 / Amendment regarding deletion of the words "heads of the Land Registry Offices of district (city) courts and their deputies" and "and/or a Land Registry Office" shall come into force on 1 June 2019. See Paragraph 95 of Transitional Provisions]

Section 109. Bailiffs

[31 October 2002]

Section 110. Offices of Bailiffs

[31 October 2002]

Section 111. Rights of Bailiffs

[31 October 2002]

Section 112. Obligations and Liability of Bailiffs

[31 October 2002]

Chapter 18 Authorities and Persons Associated with the Examination of Cases in Courts

Section 113. Public Prosecutor

[29 January 1997]

Section 114. Advocate

[29 January 1997]

Section 115. Police

(1) Within the scope of their competence, the police shall secure the activities of the courts.

(2) While fulfilling the tasks entrusted to it, the police shall:

1) follow the instructions of the court regarding the conduct of investigative activities of a court and search for defendants;

2) guard and escort detained and arrested persons, and, upon a request of a court, bring them to the court hearing where they shall be guarded;

3) execute the decisions of a judge and a court concerning the compulsory conveyance to court of persons who are avoiding the appearance before the court after receipt of the summons;

4) execute other court rulings within the scope of their competence.

(3) The police shall provide protection for judges and court officials, their families, and also their property.

(4) [18 January 2018]

[18 January 2018]

Section 116. Experts

(1) For the purposes of executing decisions of a judge and a court, experts shall conduct expert-examinations within the scope of their competence.

(2) Experts shall have the rights and obligations specified in law.

Part V

Financing of the Judicial System. Work Remuneration and Social Guarantees of Judges

[16 December 2010]

Chapter 19

Financial Provision of the Judicial System

[16 December 2010]

Section 117. Financing of the Judicial System

[16 December 2010]

Section 118. Material and Technical Provision of Courts

[16 December 2010]

Chapter 20

Principles of the Work Remuneration of Judges

[16 December 2010]

Section 119. Work Remuneration of a Judge

[16 December 2010]

Section 119.¹ Monthly Salary of a Judge

[16 December 2010]

Section 119.² Monthly Salary of a Deputy President, President, Chairperson of a Chamber or Senate

[16 December 2010]

Section 120. Supplement for the Qualification Category of a Judge

[16 December 2010]

Section 120.¹ Monthly Salary of a Judge, Head or Deputy Head of a Land Registry Office

[16 December 2010]

Section 121. Awarding of Bonuses to a Judge

[16 December 2010]

Section 121.¹ Remuneration for the Acceptance of Measures of Operational Activities

[16 December 2010]

**Chapter 21
Work Remuneration of the Officials of a Court Agency**

[16 December 2010]

Section 122. Salary of the Officials of a Court Agency

[16 December 1993]

**Chapter 22
Social Guarantees of Judges**

[16 December 2010]

Section 123. Vacation of Judges

[16 December 2010]

Section 123.¹ Vacation without Keeping the Work Remuneration

[16 December 2010]

Section 124. Provision of Residential Premises to Judges

[16 December 2010]

Section 125. Other Social Guarantees of Judges

[16 December 2010]

Section 126. Service Pensions of Judges

[16 December 2010]

Transitional Provisions

[19 June 2003]

1. [16 December 2010]

2. [16 December 2010]

3. [16 December 2010]

4. [16 December 2010]

5. [16 December 2010]

6. [22 September 2005]

7. [16 December 2010]

8. The Ministry of Justice shall ensure the transfer of the relevant functions to the Court Administration by 1 April 2004.

[4 December 2003]

9. Up to 1 February 2009, persons who meet the requirements of Section 52, Paragraph one, Clauses 1, 2, 3, 4, and 6 of this Law and whose total length of service in a legal speciality or a civil servant position is at least three years may be approved as judges of district administrative courts.

[4 December 2003; 2 November 2006]

10. Up to 1 February 2009, persons meet the requirements of Section 52, Paragraph one, Clauses 1, 2, 3, 4, and 6 of this Law and whose total length of service in the offices indicated in Sections 53 and 54 or a civil servant position is at least five years may be approved as judges of the Department of Administrative Cases of the Senate of the Supreme Court and Regional Administrative Courts.

[4 December 2003; 2 November 2006]

11. The lower qualification classes referred to in Section 98, Paragraphs five and six of this Law shall be granted to those judges of Supreme Court and regional court who have been approved to the position until 1 February 2006, if they have not received the qualification classes specified in Section 98, Paragraphs five and six of this Law.

[22 September 2005]

12. Until 1 February 2006, the State Chancellery shall provide the Supreme Court with the necessary additional work premises for the execution of the functions specified in the Administrative Procedure Law.

[4 December 2003]

13. The Cabinet shall develop and submit to the *Saeima* a draft law on the service pensions of judges until 15 November 2005.

[22 September 2005]

14. The Cabinet shall issue the regulations provided for in Section 28.⁶, Paragraph six and Section 29, Paragraph two of this Law by 1 April 2006.

[22 September 2005]

15. Clauses 8 and 12 of Section 107.¹, Paragraph two of this Law shall come into force on 1 September 2007.

[22 September 2005]

16. After passing the attestation, the lower qualification classes referred to in Section 98, Paragraphs five and six of this Law shall be granted to the judges of the Department of Administrative Cases of the Senate of the Supreme Court and Regional Administrative Court who have been approved to the office until 1 February 2011, if they have not received the qualification classes referred to in Section 98, Paragraphs five and six of this Law.

[2 November 2006; 3 April 2008]

17. [16 December 2010]

18. Candidates for the office of a judge the nomination of which for appointment in the office of a judge has been commenced before the amendment of Section 52, Paragraph one, Clause 5 of this Law came into force, shall be appointed for the office of a judge by 1 October 2008.

[3 April 2008]

19. Until the Cabinet Regulation referred to in Section 29, Paragraph three of this Law comes into force, but not later than until 1 January 2009, the Cabinet Regulation No. 1023 of 27 December 2005, Regulations Regarding the Territories of Regional Administrative Court, District Administrative Court, the City of Rīga, Rīga District and Sigulda Court, shall be applicable.

[3 April 2008]

20. [16 December 2010]

21. [1 December 2009]

22. [1 December 2009]

23. After 1 July 2009, the participation of a lay judge in the trying of a criminal case shall be determined by Paragraph 25 of the Transitional Provisions of the Criminal Procedure Law. While fulfilling these duties, the judge shall receive work remuneration. Work remuneration for the fulfilment of the duties of a lay judge in a district (city) court shall be calculated by taking into account the average monthly gross work remuneration for the workforce in 2006 and applying the coefficient of 0.85. Work remuneration for the fulfilment of the duties of a lay judge in a regional court shall be calculated by taking into account the average monthly gross remuneration for work for the workforce in 2006.

[1 December 2009]

24. [16 December 2010]

25. Within the three-month period after entry into force of Chapter 13.¹ of this Law which provides for the establishment of the Judicial Council, the Minister for Justice and the President of the Supreme Court shall convene the Judges' Conference for the election of the members of the Judicial Council.

[3 June 2010]

26. Within a month after entry into force of Section 48.¹ and Chapter 13.¹ of this Law which provides for the establishment of the Disciplinary Court and Judicial Council, the President of the Supreme Court shall convene the Plenary Session of the Supreme Court for the election of the members of the Disciplinary Court and the Judicial Council, and also for the approval of the President of the Disciplinary Court.

[3 June 2010]

27. The first meeting of the Judicial Council shall be convened by its Chairperson not later than within a month after the election of all the members of the Judicial Council.

[3 June 2010]

28. Within the six months after its first meeting, the Judicial Council shall approve the regulation of the Judges' Conference. Until this regulation is approved, the regulation of the Judges' Conference adopted at the Judges' Conference on 18 April 1997 shall be applicable.

[3 June 2010]

29. The Judicial Council may submit an application for the initiation of a case to the Constitutional Court after the respective amendments to the Constitutional Court Law have come into force.

[3 June 2010]

30. Powers of the Judicial Council provided for in Section 73.¹ of this Law to decide on the transfer of a judge shall also apply to judges who have been appointed or approved to the office as a judge with an unlimited term of office until the day of entry into force of Section 73.¹ of this Law.

[3 June 2010]

31. The Disciplinary Court shall commence work after the relevant amendments to the Judicial Disciplinary Liability Law come into force.

[3 June 2010]

32. From 1 August 2010 to 1 January 2012, a judge of a District Administrative Court with at least four years service in the office of a judge may apply for the office of a judge of a Regional Administrative Court.

[3 June 2010]

33. The requirements of Section 54, Paragraph four of this Law do not apply to a person who has been approved as a judge of the Supreme Court until the day of coming into force of this Paragraph.

[3 June 2010]

34. Amendments to Section 63 of this Law changing the conditions and procedures for the extension of the term of office of a district (city) court, regional court and the Supreme Court judge do not apply to a person whose term of office of a judge has been extended until the day when these amendments come into force.

[3 June 2010]

35. Chairpersons of a regional court committee who have been appointed to office until the moment when the amendments to Sections 41 and 42 of this Law changing the procedures for the appointment of a Chairperson of a regional court committee come into force shall continue to fulfil the duties until the Deputy President of a regional court is appointed to office in accordance with the procedures laid down in Section 41, Paragraph two of this Law.

[3 June 2010]

36. The Deputy Presidents of district (city) courts and regional courts who have been appointed to office until the moment when the amendments to Sections 33.¹ and 41 of this Law changing the procedures for the appointment of the Deputy President of a district (city) court or regional court come into force shall continue to fulfil the duties of office until the end of the term of office.

[3 June 2010]

37. Amendment to Section 50, Paragraph three of this Law which provides for the participation of the Judicial Council in the nomination of candidates for the office of the Prosecutor General shall come into force concurrently with the corresponding amendments to the Office of the Prosecutor Law.

[3 June 2010]

38. Judges shall receive a one-off compensation. It shall be calculated as the net difference between the monthly salary which would be paid to a judge in conformity with the third sentence of Paragraph 20 of the Transitional Provisions of the law On Judicial Power in the wording which would have been in force on 1 January 2011 and the monthly salary of a judge specified in Section 6.¹ of the Law on Remuneration of Officials and Employees of State and Local Government Authorities. The compensation shall not be subject to taxes.

[16 December 2010]

39. Until 1 October 2012, the Judicial Council shall convene a Judges' Conference for the election of the Judicial Qualification Committee in accordance with amendments to Section 93, Paragraph two of this Law regarding the composition of the Judicial Qualification Committee. Until 1 January 2013, the current Judicial Qualification Committee shall continue its work.

[9 June 2011]

40. Until 1 July 2012, the Judicial Council shall determine the content of and procedures for the inspection of the professional knowledge of a judge provided for in Section 89.¹¹, Paragraph nine of this Law, and also approve the sample documents necessary for the inspection of the professional knowledge of a judge.

[9 June 2011]

41. The Judicial Qualification Committee shall make the regular assessment of the professional activity of judges of Land Registry Offices, district (city) courts, regional courts and the Supreme Court for the first time from 1 January 2013 to 1 January 2016. Upon a proposal of the Minister for Justice and the President of the Supreme Court, the Judicial Council shall approve the list of judges, in accordance with which the regular assessment of the professional activity of a judge is made afterwards.

[9 June 2011]

42. Amendments to Section 52 of this Law in respect of the requirements to be determined for the education of candidates to the office of a judge of a district (city) court shall come into force on 1 January 2012.

[9 June 2011]

43. Persons who have acquired such higher legal education which in legal terms can be equated to the Master's degree shall also meet the requirements of Section 51, Paragraph one, Clause 3 of this Law.

[9 June 2011; 18 January 2018]

44. Amendments to Section 60, Paragraph two, Sentence one and Paragraph three, Section 73.¹, Paragraph one, Sentence two and Paragraph two, Sentence two, Section 75, Paragraph two, Sentence two and the title of Chapter 15 of this Law in respect of the assessment of the professional activity of judges shall come into force on 1 January 2013.

[9 June 2011]

45. Section 82, Paragraph one, Clause 5, Paragraphs 94.¹, 94.², 94.³, 94.⁴ and 94.⁵ of this Law shall come into force on 1 January 2013.

[9 June 2011]

46. Amendments to Section 93, Paragraphs one and five, and Section 94, Paragraph three of this Law shall come into force on 1 January 2013.

[9 June 2011]

47. Amendments to Section 98 of this Law shall come into force concurrently with amendments to the Law on Remuneration of Officials and Employees of State and Local Government Institutions which determine the procedures by which remuneration shall be granted to judges for the assessment of the professional activity of judges.

[9 June 2011]

48. The amendment to Section 89.¹¹ of this Law which excludes Paragraph 9.¹ of the same Section shall come into force concurrently with the amendments to the Law on Remuneration of Officials and Employees of State and Local Government Institutions which exclude Paragraph 8.⁴ of the Transitional Provisions.

[9 June 2011]

49. Judges of Land Registry Offices who have been appointed or confirmed to office until the moment when the amendments providing for the inclusion of Land Registry Offices in the composition of the district (city) courts come into force shall fulfil the duties provided for in Section 30, Paragraph 1.¹ of this Law in the Land Registry Offices according to their territories of operation.

[21 July 2011]

50. A judge who fulfils duties of office in a Land Registry Office shall receive the robe and the insignia of office.

[21 July 2011]

51. Heads of Land Registry Offices and their deputies who have been appointed to office until the moment when the amendments providing for the inclusion of Land Registry Offices in the composition of the district (city) courts come into force shall continue to fulfil the respective duties until the expiry of their term of office.

[21 July 2011]

52. The Cabinet shall issue the regulations provided for in Section 29, Paragraph three of this Law in which the territories of operation of district (city) courts, the relevant courthouses and Land Registry Offices are determined until 1 January 2012.

[21 July 2011]

53. Land Registry Offices of district (city) courts shall examine applications for the confirmation of statements of auction after the relevant amendment to the Civil Procedure Law has come into force.

[21 July 2011]

54. A judge of the Supreme Court whose term of office has been extended after attaining the maximum age for holding the office of a judge shall continue fulfilling the duties of a judge until the end of the specified term.

[13 June 2013]

55. A judge of a district (city) court or a regional court whose term of office has been extended after reaching the maximum age for holding the office of a judge shall continue fulfilling the duties of a judge until attaining the age of 70 years.

[13 June 2013]

56. Until 1 February 2014, the Presidents of regional courts shall determine those district (city) courts in the territory of operation of the respective regional court where an investigating judge must be appointed. Investigating judges who are fulfilling duties in those district (city) courts where an investigating judge need no longer be appointed according to a decision of the judge of the regional court, shall continue the fulfilment of duties until 1 February 2014.

[13 June 2013]

57. In addition to the structure specified in Section 43 of this Law, until 31 December 2014 the Supreme Court shall have a Chamber of Criminal Cases of the Supreme Court and a Chamber of Civil Cases of the Supreme Court, but from 1 January 2015 until 31 December 2016 - a Chamber of Civil Cases of the Supreme Court.

[13 June 2013]

58. Until 1 May 2014, the Judicial Council, upon a proposal of the President of the Supreme Court, shall determine

the total number of judges in the Department of Administrative Cases, Department of Civil Cases, Department of Criminal Cases and the Chamber of Civil Cases of the Supreme Court as of 1 January 2015.

[13 June 2013]

59. By 1 June 2014, the Judicial Council shall submit a proposal to the *Saeima* for the determination of the total number of judges in district (city) courts, regional courts, and the Supreme Court as of 1 January 2015.

[13 June 2013]

60. As long as the structure of the Supreme Court includes the Chamber of Criminal Cases, the composition of the Judicial Qualification Committee may include a judge of this Chamber. As long as the structure of the Supreme Court includes the Chamber of Civil Cases, the composition of the Judicial Qualification Committee may include a judge of this Chamber.

[13 June 2013]

61. Until 1 May 2016 the Judicial Council, upon a proposal of the President of the Supreme Court, shall determine the total number of judges in departments of the Supreme Court as of 1 January 2017.

[13 June 2013]

62. By 1 June 2016, the Judicial Council shall submit a proposal to the *Saeima* for the determination of the total number of judges in district (city) courts, regional courts and the Supreme Court from 1 January 2017.

[13 June 2013]

63. Until the respective amendments are made to the Civil Procedure Law, the regional court shall be the court of first instance for those civil cases which fall within the jurisdiction of the regional court in accordance with the law. In the hearings of the court of first instance held at the regional court, civil cases shall be examined by a judge sitting alone.

[13 June 2013]

64. Until the end of the term of operation of Chambers of the Supreme Court, cases of a Chamber shall be examined collegially in the composition of three judges.

[13 June 2013]

65. Until the end of the term of operation of Chambers of the Supreme Court, the Chairpersons of Chambers shall be elected by the Plenary Session of the Supreme Court, following the principle of equal gender representation. The term of office for the Chairpersons of Chambers shall be five years.

[13 June 2013]

66. Until the end of the term of operation of Chambers of the Supreme Court, the President of the Supreme Court may order a judge of the Chamber of the Supreme Court to substitute a judge while there is a vacancy for a judge of a department of the Supreme Court or in temporary absence of such judge.

[13 June 2013]

67. [30 April 2015]

68. Until the end of the term of operation of Chambers of the Supreme Court, while there is a vacancy for a judge of the Chamber or in his or her absence, the Judicial Council may, upon a proposal of the President of the Supreme Court and after receipt of a favourable opinion from the Judicial Qualification Committee, temporarily - for not more than two years - order for this judge to be substituted by a judge emeritus of the Supreme Court or a judge of the regional court, if he or she has given a written consent.

[13 June 2013]

69. [25 October 2018]

70. The Cabinet shall evaluate the impact of liquidating the Chamber of Criminal Cases of the Supreme Court on criminal court proceedings (the necessary amendments to laws and regulations, financial, material and technical support for the reform, etc.) and shall submit a report to the *Saeima* thereon until 1 March 2014.

[13 June 2013]

71. The Cabinet shall evaluate the impact of liquidating the Chamber of Civil Cases of the Supreme Court on civil court proceedings (the necessary amendments to laws and regulations, financial, material and technical support for the reform, etc.) and shall submit a report to the *Saeima* thereon until 1 March 2015.

[13 June 2013]

72. A judge who has been appointed or approved as the President until 1 January 2014 and continues the fulfilment of the duties of the President after 1 January 2014, after expiry of such term of office may be repeatedly appointed or approved in the office of the President for one term in succession.

[13 June 2013]

73. Amendments to Sections 30, 36, 37, 43, 44, 45, 46, 47, 48, 49.¹, 50, 78, 79, 86.¹, and 93 of this Law applying to reorganisation of the Supreme Court shall come into force on 1 January 2014.

[13 June 2013]

74. The Deputy President of the Supreme Court who in accordance with Section 2, Paragraphs two and three of the Judicial Disciplinary Liability Law is a member of the Judicial Disciplinary Committee and fulfils the duties of the Chairperson of the Judicial Disciplinary Committee, after entry into force of amendments to Section 50 of this Law shall continue the fulfilment of the duties of the Chairperson of the Judicial Disciplinary Committee until the end of the term of office laid down in Section 2, Paragraph two of the Judicial Disciplinary Liability Law.

[26 September 2013]

74.¹ Until the end of the term of operation of Chambers of the Supreme Court, the Judicial Council shall, upon a proposal of the President of the Supreme Court and based on a favourable opinion of the Judicial Qualification Committee, transfer a judge of the Chamber of Criminal Cases who has not been transferred to the office of a judge of a department until 31 December 2014 or a judge of the Chamber of Civil Cases to the department's vacant office of a judge. If several judges of a Chamber of a court who have received a favourable opinion apply for one vacant position, the Judicial Qualification Committee shall nominate the most suitable candidate by taking a reasoned decision.

[30 April 2015; 18 January 2018]

74.² Upon the joint proposal of the President of the Supreme Court and the Minister for Justice, the Judicial Council shall appoint a judge of the Chamber of Criminal Cases of the Supreme Court and a judge of the Chamber of Civil Cases of the Supreme Court, who has not been transferred to the office of a judge of a Chamber of the Supreme Court at the end of the term of operation of the relevant Chamber, to fulfil the duties of a judge in another appellate court. The judge shall receive the monthly remuneration and service supplement that was determined for him or her as the judge of a Chamber of the Supreme Court.

[30 April 2015]

74.³ If in a department of the Supreme Court a vacancy for a judge arises after the end of the term of operation of the Chamber of Civil Cases and another judge from the departments is not appointed to this office, the President of the Supreme Court shall notify the judge who has been appointed to fulfil the duties of a judge in another appellate court in accordance with Paragraph 74.² of these Transitional Provisions of the vacant office. The abovementioned judge is entitled to participate in the competition announced for the vacant office.

[30 April 2015; 18 January 2018]

74.⁴ If, in the announced contest for the vacant office of a judge of the Supreme Court, the judge of the Supreme Court who has been appointed to fulfil the duties of a judge in appellate court in accordance with Paragraph 74.² of these Transitional Provisions and another candidate for the office of a judge have received equal score, the preference to be appointed in the vacant office shall be given to the judge of the Supreme Court. The abovementioned judge shall be appointed to the office by the Judicial Council, upon a proposal of the President of the Supreme Court.

[18 January 2018]

75. [30 April 2015]

76. Amendments to Section 29, Paragraph one, Clause 3 of this Law that provide for the merging of the Riga City Central District Court and Sigulda Court with other courts shall come into force on 1 March 2015.

[30 October 2014]

77. Upon a proposal of the Minister for Justice, the Judicial Council shall, until 1 February 2015, determine the number of judges in district (city) courts as of 1 March 2015.

[30 October 2014]

78. The Judicial Council shall, upon a proposal of the Minister for Justice, decide on the transfer of a judge of the

Riga City Central District Court or Sigulda Court to work for another court when the Riga City Central District Court and Sigulda Court is merged with another court. The Judicial Council shall, until 1 December 2014, determine the procedures by which the relevant proposal shall be drawn up and examined in a meeting of the Judicial Council.

[30 October 2014]

79. Powers of the President of the Riga City Central District Court and President of Sigulda Court shall expire on 28 February 2015.

[30 October 2014]

80. After transfer of a judge to work for another court, cases which are in the court proceedings of the Riga City Central District Court and the examination of which on the merits has been commenced until 28 February 2015 shall be further examined by the same judge.

[30 October 2014]

81. Cases which are in the court proceedings of the Riga City Central District Court and the examination of which on the merits has not been commenced until 28 February 2015 shall be transferred to the Vidzeme Suburb Court of Riga City.

[30 October 2014]

82. The cases examined in the Riga City Central District Court in which the appellate or cassation court has revoked the ruling after 1 March 2015 shall be transferred for examination anew to the Vidzeme Suburb Court of Riga City.

[30 October 2014]

83. If after 1 March 2015 a case that has been examined in the Riga City Central District Court has decidable matters related to the execution of the ruling, they shall be sent for deciding to the Vidzeme Suburb Court of Riga City.

[30 October 2014]

84. After transfer of a judge to work for another court, cases which are in the court proceedings of the Sigulda Court and the examination of which on the merits has been commenced until 28 February 2015 shall be further examined by the same judge.

[30 October 2014]

85. Cases which are in the court proceedings of the Sigulda Court and the examination of which on the merits has not been commenced until 28 February 2015 shall be transferred to the Riga District Court.

[30 October 2014]

86. The cases examined in the Sigulda Court in which the appellate or cassation court has revoked the ruling after 1 March 2015 shall be transferred for examination anew to the Riga District Court.

[30 October 2014]

87. If after 1 March 2015 a case that has been examined in the Sigulda Court has decidable matters related to the execution of the ruling, they shall be sent for deciding to the Riga District Court.

[30 October 2014]

88. Amendments to Section 29 of this Law regarding the establishment and determination of the territory of operation of district (city) courts, and the amendment to Section 35, Paragraph two regarding determination of the territory of operation of regional courts shall come into force on 1 August 2015.

[18 June 2015]

89. Until the day of entry into force of the procedures referred to in Section 54.¹, Paragraph one and Section 54.², Paragraph one of this Law, but not later than until 1 July 2018, Cabinet Regulation No. 204 of 3 March 2009, Procedures for the Selection, Apprenticeship and Taking of Qualification Examination of a Candidate to the Office of a Judge, shall be in force.

[18 January 2018]

90. The Cabinet shall, by 1 July 2018, issue the regulations referred to in Section 107.¹, Paragraph two, Clause 24 of this Law.

[18 January 2018]

91. The judge, who has been posted to work as a judge in another court or institution in accordance with the procedures laid down in Section 86.¹ of this Law until the moment when amendments to the relevant section which reduce the period for which a judge may be posted to work in another court or authority and exclude the possibility to post a judge to work as a judge of another court come into force, shall continue to fulfil his or her duties until the end of the period specified in the order.

[18 January 2018]

92. Until the courts, their courthouses and Land Registry Offices, and also their territories of operation and location are determined in accordance with amendments to Section 29, Paragraph three, Section 35, Paragraph two, and Section 35, Paragraph three, sentence two of this Law, but not later than until 1 April 2018, Cabinet Regulation No. 412 of 28 July 2015, Regulations Regarding District (City) Courts, and Regional Courts and their Territories of Operation, shall be in force.

[18 January 2018]

93. The Judicial Council shall determine the place for the fulfilment of the duties of a judge within the territory of operation of the court until 1 April 2018.

[18 January 2018]

94. Section 33, Paragraph three, Clause 10 and Section 40, Paragraph five of this Law shall come into force on 1 January 2020.

[6 September 2018]

95. Amendments regarding the deletion of the words "and a Land Registry Office" (in the relevant number and case) from the Law, except for Section 74, Section 92, Paragraph one, and Paragraphs 52 and 92 of the Transitional Provisions, the deletion of the words "or a Land Registry Office" (in the relevant number and case) from the Law, except for Sections 53, 74, and Section 107.¹, Paragraph two, Clause 8, the new wording of Section 2, Paragraph three, the deletion of Section 29, Paragraph 2.¹, the supplementation of Section 30, Paragraph one with the words "and examines the Land Register cases", the deletion of Section 30, Paragraph 1.¹ and the supplementation of its Paragraph two with a new sentence, the deletion of Section 33, Paragraph three, Clause 8, the deletion of Section 33.³, the deletion of the words "or a judge of the Land Registry Office" in Section 53, the new wording of Section 74, Section 89.², Paragraph three, and Section 91.³, Paragraph two, the deletion of the words "and judges of Land Registry Offices" in Section 92, Paragraph one, the deletion of Section 92, Paragraph three, the replacement of the words "two judges from district (city) courts, and one judge from the Land Registry Office" with the words "three judges from district (city) courts" in Section 93, Paragraph two, the deletion of the words "or the head of the Land Registry Office" in Section 107.¹, Paragraph two, Clause 8, and the deletion of the words "heads of the Land Registry Offices of district (city) courts and their deputies" in Section 108, Clause 4 shall come into force on 1 June 2019.

[25 October 2018]

96. The Judicial Council shall decide on the transfer of judges of Land Registry Offices to work in district (city) courts. A separate opinion of the Judicial Qualification Committee is not required to execute the transfer of judges.

[25 October 2018]

97. Judges of Land Registry Offices who in accordance with Paragraph 96 of the Transitional Provisions of this Law have been transferred to work in district (city) courts from 1 June 2019 shall complete examination of the cases which have been transferred to them for examination until 31 May 2019.

[25 October 2018]

98. A case examined by a judge of a Land Registry Office in which a higher instance court has revoked the decision of the judge of the Land Registry Office shall be transferred for examination anew to such district (city) court in the composition of which the respective Land Registry Office had previously been.

[25 October 2018]

99. The powers of the heads of Land Registry Offices and their deputies shall expire on 31 May 2019.

[25 October 2018]

100. Until the relevant amendments are made to other laws and regulations, the term used in this Law "district (city) court" shall conform to the terms "Land Registry Office of a district (city) court" or "Land Registry Office" used in

other laws and regulations, and the term "judge of a district (city) court" - the term "judge of a Land Registry Office of a district (city) court" or "judge of a Land Registry Office" used in other laws and regulations.

[25 October 2018]

101. Amendment to Section 13 of this Law regarding the deletion of Paragraph four shall come into force concurrently with the Law on Administrative Liability.

[14 May 2020]

102. The Economic Court shall commence work on 31 March 2021.

[17 June 2020; 10 December 2020]

103. Without changing the total number of judges of district (city) courts and regional courts, 10 positions of a judge shall be transferred for the commencement of the operation of the Economic Court and four positions of a judge - for Riga Regional Court.

[17 June 2020]

104. The Court Administration shall ensure training the candidates for the office of a judge of the Economic Court.

[17 June 2020]

105. For the claims arising from reinsurance contracts, the claims arising from investment services or ancillary investment services agreements, the claims of investors of European Union Member States against the State of Latvia regarding the protection of investments, the claims arising from legal relationships of groups of companies, the claims arising from mutual legal relationships of shareholders (stockholders) of a capital company, the claims arising from financial collateral arrangements, the claims arising from transactions of capital companies with related persons within the meaning of the Commercial Law and the Financial Instrument Market Law, the claims arising from the transition of undertakings and the reorganisation of a company, except for the claims of employees, the claims arising from contractual obligations between participants of a construction process, including with sub-contractors, in relation to the construction of such structure of the second and third groups for the implementation of which a construction permit is required, except for the construction of an individual single apartment or duplex residential house and structures functionally linked thereto, the claims regarding the violations of competition law, the claims regarding decisions of the meeting of shareholders (stockholders) of a capital company, the applications for the liquidation and insolvency of credit institutions, and also the criminal cases regarding criminal offences which are provided for in Section 73.¹, Paragraph two, Section 79.², Paragraph two, Section 195, Section 198, Paragraph two, three, or four, Section 199, Paragraph two, Section 320, Paragraph three or four, Section 321, Paragraph two, three, or four, Section 322, Paragraph two, Section 323, Paragraph two or three, Section 326.¹, Paragraph two, Section 326.², Paragraph two, or Section 326.³, Paragraph two of the Criminal Law, the jurisdiction until 30 March 2021 is determined according to such provisions of jurisdiction which were in force on 31 December 2020.

[10 December 2020]

Chairperson of the Supreme Council
of the Republic of Latvia A. Gorbunovs

Secretary of the Supreme Council
of the Republic of Latvia I. Daudišs

Adopted 15 December 1992

Law on Judicial Power of the Republic of Latvia
Annex

The Territory of Operation of Regional Courts of the Republic of Latvia

[1 October 1997]

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