Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

19 June 2008 [shall come into force on 16 July2008];

12 June 2009 [shall come into force on 1 July 2009];

21 October 2010 [shall come into force on 1 January 2011];

9 June 2011 [shall come into force on 18 June 2011];

4 August 2011 [shall come into force on 7 September 2011];

3 May 2012 [shall come into force on 30 May 2012];

10 December 2015 [shall come into force from 6 January 2016];

2 February 2017 [shall come into force from 1 March 2017];

6 September 2018 [shall come into force from 1 January 2019].

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.

The *Saeima* 1 has adopted and

the President has proclaimed the following law:

**State Ensured Legal Aid Law**

**Chapter I**

**General Provisions**

**Section 1. Purpose of this Law**

The purpose of this Law is to promote the right of a natural person to a fair court protection by ensuring State-guaranteed financial support for the receipt of legal aid.

**Section 2. Application of this Law**

This Law regulates the general rules for the provision of the State-ensured legal aid (hereinafter – legal aid).

**Section 3. Right to Legal Aid**

(1) The following persons have the right to legal aid:

1) a citizen of Latvia;

2) a non-citizen of Latvia;

3) a stateless person;

4) a European Union citizen who is not a citizen of the Republic of Latvia but resides legally in the Republic of Latvia;

5) a third-country national (including a refugee and a person who has been granted the alternative status in the Republic of Latvia) who is not a citizen of a European Union Member State, if he or she legally resides in the Republic of Latvia and has received a permanent residence permit;

6) a person who has the right to legal aid ensured by the Republic of Latvia in accordance with the international agreements entered into by the Republic of Latvia;

7) an asylum seeker;

8) a person whose permanent place of residence or domicile is one of the European Union Member States, in cross-boundary disputes;

9) a foreigner who is subject to the removal process in the cases and according to the procedures specified by the Immigration Law (hereinafter – the foreigner to be removed).

(2) The natural persons referred to in Paragraph one, Clauses 1, 2, 3, 4 and 5 of this Section have the right to request legal aid if:

1) they have obtained the status of a low-income or needy person in accordance with the procedures specified by the laws and regulations regarding the recognition of a natural person as a low-income or needy person;

2) they find themselves suddenly in a situation and material condition which prevents them from ensuring the protection of their rights (due to a natural disaster or force majeure or other circumstances beyond their control), or are on full support of the State or local government (hereinafter – the special situation).

(21) The natural persons referred to in Paragraph one, Clauses 1, 2, 3, 4, 5, 6, and 8 of this Section have the right to request legal aid in the relevant categories of matters according to the exceptions of the rights to representation referred to in Section 82.1 of the Civil Procedure Law if the income of such persons does not exceed the minimum monthly salary specified in the State, the state of property is appropriate for the receipt of legal aid, and they have paid the contribution for the receipt of legal aid. The Cabinet shall determine in which cases the state of property and income level of the persons referred to in Paragraph one, Clauses 1, 2, 3, 4, 5, 6, and 8 of this Section shall be regarded as appropriate for the granting of legal aid in the abovementioned categories of matters, and the procedures for the evaluation of such persons.

(3) The natural persons referred to in Paragraph one, Clauses 6, 8 and 9 of this Section have the right to request legal aid if these persons, taking into account their special situation or state of property and income level, are unable to ensure the protection of their rights. The Cabinet shall determine in which cases the state of property and income level of the persons referred to in Paragraph one, Clauses 6, 8 and 9 of this Section shall be regarded as appropriate for the granting of legal aid, and the procedures for the evaluation thereof.

(4) A legal representative of the child who is a citizen or non-citizen of Latvia (hereinafter – the national of Latvia) has the right to receive financial support for the protection of the infringed or contested rights of a person or his or her interests protected by the law which are related to discontinuation or removal of the custody rights of the child (hereinafter – the financial support) in a European Union Member State or a third country (hereinafter together – the foreign state) in accordance with the conditions and procedures provided for in Chapter IV.2 of this Law.

[*12 June 2009; 4 August 2011; 2 February 2017; 6 September 2018*]

**Section 4. Duties and Liability of Legal Aid Applicants**

(1) A person does not have the right to abuse his or her status of a low-income or needy person, his or her special situation, state of property and income level for the receipt of legal aid.

(2) A person has the duty to request legal aid in a timely manner, except where it has not been possible due to objective circumstances.

(3) A person has the duty to co-operate during the procedure of receiving legal aid, by submitting information and documents to the Legal Aid Administration or legal aid provider in a timely manner and in the amount requested.

(4) A person has the duty to inform the Legal Aid Administration or legal aid provider in a timely manner, but not later than one working day in advance, except where it has not been possible due to objective circumstances, that he or she is unable to attend a meeting with the legal provider or the court sitting.

(5) During the period of receiving legal aid, a person has the duty to submit documents to the Legal Aid Administration which certify the compliance thereof with the requirements specified in Section 3 of this Law in any of the following cases:

1) the period of validity of the previously submitted documents has expired;

2) in the case referred to in Section 24 of this Law;

3) upon request by the Legal Aid Administration.

(6) The national of Latvia who has been granted the financial support has a duty:

1) to submit the documents referred to in Section 14.10, Paragraph two, Clause 2 of this Law to the Legal Aid Administration;

2) inform the Legal Aid Administration in a timely manner regarding termination of proceedings regarding discontinuation or removal of the custody rights of the child, as well as regarding changes in the previously submitted information.

[*3 May 2012; 30 May 2012; 2 February 2017 / Paragraph six shall come into force on 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 5. General Provisions for Legal Aid**

(1) The State shall ensure legal aid for the out-of-court and in-the-court settlement of matters of legal nature or for the protection of infringed or contested rights of a person or his or her interests protected in the cases, ways and amounts provided for by this Law.

(2) The State shall ensure legal aid for an asylum seeker in the appeal procedures during the process of granting asylum. The institution which is responsible for the examination of an application for asylum shall ensure the evaluation of the need for legal aid and the communication of the applicant for legal aid with the provider of legal aid.

(21) In the cases specified by the Immigration Law the State shall ensure legal aid within the scope of appeal of a decision regarding the contested voluntary return decision or a decision regarding the contested removal order to a foreigner to be removed who is residing in the Republic of Latvia. The institution which has detained the foreigner to be removed in the cases and according to the procedures specified by the Immigration Law shall ensure the communication of the person requesting legal aid with the legal aid provider, who shall be invited to provide legal aid in compliance with the list of legal aid providers referred to in Paragraph 33.1 of this Law. If the legal aid provider provides legal aid at its place of practice, the communication of the legal aid applicant with the legal aid provider shall be ensured by the Legal Aid Administration.

(3) The State shall ensure legal aid to a person, evaluating his or her conformity with the granting of legal aid, as well as the submission of a person regarding legal aid and the information indicated in the documents appended thereto, except for the cases specified by law.

(31) In the case specified in Section 3, Paragraph 2.1 of this Law, the person shall make contribution for the receipt of legal aid to the basic budget account of the Legal Aid Administration. The amount of the contribution for the receipt of legal aid and the procedures for paying and repaying thereof shall be determined by the Cabinet.

(4) The expenses related to the ensuring of the legal aid provided in accordance with the procedures specified by this Law shall be covered from the State budget resources provided for such purpose.

(5) The scope of legal aid shall be determined in hours and in the form of specific activities. The Cabinet shall determine the types and amount of legal aid, the amount of payment and the reimbursable expenses related to the provision of legal aid and the amount of and procedures for payment.

(6) In the cases specified by this Law, a person shall cover all the costs related to legal aid in full. The costs for legal aid are recovered from a person in the cases and in accordance with the procedures laid down in this Law, the Criminal Procedure Law, and the Civil Procedure Law.

(7) The State shall not cover the costs related to conducting a matter, except for the costs for legal aid and costs related thereto.

(8) In exceptional cases, legal aid shall be provided additionally to the type and amount of legal aid specified by this Law, taking into account the provisions referred to in Section 6, Paragraphs five and six of this Law, if the refusal of legal aid would significantly restrict the fundamental rights of a person guaranteed by the Constitution of the Republic of Latvia.

[*12 June 2009; 4 August 2011; 10 December 2015; 6 September 2018*]

**Section 6. Grounds for Refusal of Legal Aid**

Legal aid shall be refused if:

1) the person does not conform to the criteria referred to in Section 3 of this Law;

2) this Law does not provide for the respective case for ensuring legal aid;

3) the legal aid requested by a person is unfounded;

4) a person has not requested legal aid in a timely manner;

5) a competent authority has assisted a person by indicating the options for solving the legal situation, preparing the documents necessary for the protection or implementation of the protection of the rights of the person or by providing aid of another kind, which indicates that legal aid is no longer necessary;

6) during the last two years since the previous application for legal aid the provision of legal aid to a person has been suspended due to the fact that, in applying for legal aid, he or she had provided false information;

7) the person who was bound to cover the expenses related to legal aid has not done it within the time period and in the amount specified;

8) it concerns a claim directly linked to the economic activities or commercial activities of the person, or independent professional activities, except for the case when the provision of legal aid is necessary in Constitutional Court proceedings;

9) it is related to customs or tax issues, except for the case when the provision of legal aid is necessary in Constitutional Court proceedings;

10) it concerns a claim regarding defamation and injuring dignity;

11) it is related to the compensation of moral detriment, except for the case when provision of legal aid is related to reimbursement of moral detriment caused to the victim as a result of a criminal offence;

12) a dispute is settled in a court of arbitration or by using other alternative mechanisms for the settlement of disputes;

13) [10 December 2015];

14) it concerns a claim related to luxury items or luxury services;

15) the costs related to the provision of legal aid are incommensurably high in comparison with the amount of the claim;

16) a decision has been taken in respect of a person regarding the suspension of the provision of legal aid, based on Section 33, Paragraph seven, Clause 4 of this Law and a year has not passed since the taking of this decision;

17) an opinion has been received from the legal aid provider regarding the ineffectiveness of further legal aid;

18) the conditions for receipt of legal aid specified in Section 9.1, Paragraph one of this Law have not become applicable to the person.

[*12 June 2009; 3 May 2012; 10 December 2015; 6 September 2018*]

**Chapter II**

**Legal Aid Administration**

**Section 7. Legal Aid Administration**

The Legal Aid Administration shall be the institution responsible for the provision of legal aid in the cases and according to the procedures specified by this Law. The Legal Aid Administration is a direct administration institution which is subordinate to the Ministry of Justice.

[*19 June 2008*]

**Section 8. Basic Tasks of Legal Aid Administration**

The basic tasks of the Legal Aid Administration shall be the following:

1) to disburse resources intended for legal aid in accordance with the procedures specified by laws and regulations and to administer the contributions of persons for the receipt of legal aid;

2) to ensure purposeful and efficient utilisation of the State budget funds;

3) in the cases specified by law, to recover the State budget funds granted for the ensuring of legal aid.

[*6 September 2018*]

**Chapter III**

**Extrajudicial Legal Aid**

**Section 9. Extrajudicial Legal Aid**

The State shall ensure legal consultations and the drawing up of procedural documents:

1) for the protection of the infringed or contested rights of a person or his or her interests protected by the law in a civil legal dispute;

2) [21 October 2010];

3) in order to prepare an application or a claim to the court or a settlement document, if a person is involved in a dispute of legal nature in which legal proceedings are possible.

[*12 June 2009; 21 October 2010*]

**Chapter III.1**

**Legal Aid in Constitutional Court Proceedings**

[*6 September 2018*]

**Section 9.1 Provision of Legal Aid in Constitutional Court Proceedings**

(1) The State shall ensure legal aid in Constitutional Court proceedings for a person upon the constitutional complaint of which the Constitutional Court has taken the decision to refuse to initiate a case, indicating the lack of legal grounds or its clear insufficiency for satisfaction of the claim as the only basis for such decision.

(2) The person may submit the submission for legal aid in Constitutional Court proceedings not later than two months prior to the expiry of the time period for the submission of a constitutional complaint.

[*6 September 2018*]

**Section 9.2 Types of Legal Aid in Constitutional Court Proceedings**

The State shall ensure the following in Constitutional Court proceedings:

1) legal consultations;

2) preparation of procedural documents;

3) provision of legal aid at a court hearing.

[*6 September 2018*]

**Chapter IV**

**Legal Aid in Civil Matters**

**Section 10. Provision of Legal Aid in Civil Matters**

A person may request legal aid in civil matters until the coming into effect of the court ruling.

[*12 June 2009*]

**Section 11. Types of Legal Aid in Civil Matters**

The State shall ensure the following legal aid during legal proceedings in a civil matter:

1) legal consultations;

2) the drawing up of procedural documents;

3) representation in court.

[*12 June 2009*]

**Section 12. Concept of a Cross-border Dispute**

[12 June 2009]

**Section 13. Forwarding of a Submission in a Cross-border Dispute**

[12 June 2009]

**Section 14. Examination of Submissions Received in Cross-border Disputes**

[12 June 2009]

**Chapter IV.1**

**Legal Aid in Cross-border Disputes**

[*12 June 2009*]

**Section 14.1 Concept of a Cross-border Dispute**

A cross-border dispute is a dispute in which the permanent residence or domicile of the persons referred to in Section 3, Paragraph one, Sub-clause 8 of this Law applying for legal aid at the time of receipt of the respective application for legal aid is not in a state where the court sitting takes place or the court ruling is to be enforced.

[*3 May 2012*]

**Section 14.2 Provision of Legal Aid in Cross-border Disputes**

(1) The State shall ensure legal aid in cross-border disputes outside the court and in the court.

(11) The Legal Aid Administration shall not ensure legal aid to foreign requesters and applicants in the cases specified in Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations and the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance. In such cases legal aid shall be ensured by the Maintenance Guarantee Fund administration in accordance with the procedures and amount specified by the Maintenance Guarantee Fund Law.

(2) The grounds for refusal of legal aid specified in Section 6, Clauses 5, 10, 11, 12, 13, 14 and 15 of this Law shall not be applicable to the receipt of legal aid in cross-border disputes.

(3) A person may apply for legal aid in a cross-border dispute whilst a court ruling or public act has not been enforced.

[*9 June 2011; 3 May 2012 /* *See Paragraph 18 of Transitional Provisions*]

**Section 14.3 Types of Legal Aid in Matters of Cross-border Disputes**

(1) The State shall ensure the following in matters of cross-border disputes:

1) legal consultations;

2) the drawing up of procedural documents;

3) representation in court.

(2) In addition to that referred to in Paragraph one of this Section, a person has the right to receive the following:

1) services of an interpreter;

2) a translation of such document requested by the court or the competent authority and submitted by the recipient of legal aid, which is necessary for adjudication of the matter;

3) the payment of such expenses which are related to attendance at court sittings, if the presence of the person in court is provided for in law or if the court requests it, deciding that the relevant person cannot be heard in another way.

**Section 14.4 Submission and Forwarding of Submissions in a Cross-border Dispute**

(1) If a person whose permanent place of residence or domicile is the Republic of Latvia wishes to receive legal aid in a cross-border dispute, he or she shall submit the relevant submission to the Legal Aid Administration.

(2) The Legal Aid Administration shall forward the submission referred to in Paragraph one of this Section within seven days from the day of receipt of the translation thereof to the competent authority of another state.

(3) The Legal Aid Administration shall refuse to forward the submission if it not related to a cross-border dispute. A person may dispute this decision in accordance with the procedures specified in Section 26 of this Law.

**Section 14.5 Examination of Submissions Received in Cross-border Disputes**

(1) If the Legal Aid Administration receives a submission for legal aid forwarded by the competent authority of another state, it shall be examined in accordance with the general procedures.

(2) The special situation of a person shall be evaluated by the same criteria that are used in examination of applications for legal aid not related to cross-border disputes.

(3) The conformity of the state of property and income level with the receipt of legal aid shall be evaluated in accordance with the Cabinet regulations provided for in Section 3, Paragraph three of this Law.

(4) A person who wishes to receive legal aid in a cross-border dispute may request legal aid also if he or she proves that he or she is unable to pay the expenses related to legal aid due to the differences in the welfare level between the state of his or her permanent residence or domicile and the state where the court sitting is taking place.

**Chapter IV.2**

**Granting and Ensuring of the Financial Support to the Nationals of Latvia for the Protection of the Infringed or Contested Rights of a Person or his or her Interests Protected by the Law which are Related to Discontinuation or Removal of the Custody Rights of the Child in Foreign States**

[*2 February 2017 /* Chapter shall come into force on 1 April 2017. *See Paragraph 20 of Transitional Provisions*]

**Section 14.6 Ensuring of the Financial Support**

(1) The State shall ensure the financial support to the nationals of Latvia for the protection of the infringed or contested rights of a person or his or her interests protected by the law which are related to discontinuation or removal of the custody rights of the child, by paying for the following in relation to a legal aid provider in foreign states:

1) legal counsel;

2) representation in legal proceedings or an institution in reviewing a decision taken thereby, if the laws and regulations of the foreign state do not provide for court proceedings in such processes. Representation shall be paid for if after the legal aid provider in foreign states has provided a legal counsel, his or her statement regarding usefulness and necessity of representation has been received.

(2) The national of Latvia has the right to receive the financial support in the case indicated in Paragraph one of this Section if:

1) he or she does not fall within the range of subjects who have the right to receive legal aid in the relevant foreign state, except for non-compliance with the criteria of financial situation;

2) there is no legal aid system in the foreign state or legal aid is not provided for in the relevant category of matters;

3) he or she falls within the range of subjects who have the right to receive legal aid in the relevant foreign state, has turned to the competent authority of the relevant state for receipt of such aid, however, the appointed legal aid provider of the foreign state has recognised that legal aid is not useful in the matter or it is not possible to initiate or continue provision of legal aid due to circumstances beyond control of the national of Latvia;

4) upon existence of the circumstances referred to in Paragraph two, Clause 1, 2 or 3 of this Section, the national of Latvia has agreed on conducting the matter with a legal aid provider in foreign states.

(3) The amount of the financial support, the conditions and procedures for disbursement thereof shall be determined by the Cabinet.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 14.7 Submitting of a Submission**

(1) If the national of Latvia wishes to receive the financial support, he or she shall submit a relevant submission to the Legal Aid Administration.

(2) The sample forms of the submission for receipt of the financial support and the procedures for submitting sample forms shall be approved by the Cabinet.

(3) The following shall be appended to the submission:

1) the documents certifying that the foreign competent authority has warned the person or has initiated proceedings regarding discontinuation or removal of the custody rights of the child;

2) a refusal of the foreign state to ensure legal aid or a certification that there is no legal aid system in the foreign state or legal aid in the relevant category of matters is not provided for;

3) information regarding the legal aid provider in accordance with Section 14.6, Paragraph two, Clause 4 of this Law, indicating the given name, surname or the name of the legal aid provider, the address of the practice and contact information, certified copies of the agreement regarding provision of legal aid in which the type of legal aid is indicated, and of the document certifying the right of the legal aid provider to provide legal aid in a foreign state.

(4) The national of Latvia shall submit the submission in Latvian language, appending the documents referred to in Paragraph three of this Section. The Legal Aid Administration shall ensure translation of such documents issued by the court, competent authority or legal aid provider of the foreign state which are necessary for the Legal Aid Administration to be able to take a decision to ensure the financial support, as well as translation of the letter of guarantee referred to in Section 14.10 of this Law.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 14.8 Examination of a Submission and Taking of a Decision**

(1) The Legal Aid Administration shall examine a submission within 14 days from the day of receipt of the submission – or in case if translation of the documents appended to the submission is necessary – from the day of receipt of the translation of such documents, and shall decide on granting of the financial support.

(2) If the submission does not conform to the requirements of Section 14.7 of this Law, the Legal Aid Administration shall request correction of the detected deficiencies, specifying a deadline which may not be less than 14 days. In such case the Administration shall take a decision regarding granting the financial support or refusal to grant it within 14 days from the day when all the necessary information or documents have been submitted or the deadline for their submission has expired.

(3) The Legal Aid Administration shall take a decision regarding refusal to grant the financial support if the person:

1) does not comply with the criteria referred to in Section 14.6, Paragraphs one and two of this Law;

2) has not initially addressed the foreign competent authority with a request to ensure legal aid, except for the case when there is no legal aid system in the foreign state or when the legal aid in the relevant category of matters is not provided for;

3) requests the financial support in a matter which is not related to discontinuation or removal of the custody rights of the child in a foreign state;

4) requests the financial support in the matter in which the foreign competent authority has not issued a warning and has not initiated proceedings regarding discontinuation or removal of the custody rights of the child;

5) has not submitted the indicated information or documents within the time period indicated by the Legal Aid Administration.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 14.9 Procedures for the Contest and Appeal of the Decision**

The national of Latvia may contest and appeal the decision of the Legal Aid Administration on refusal to grant the financial support in accordance with the procedures laid down in Section 26 of this Law.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 14.10 Letter of Guarantee of the Legal Aid Administration**

(1) The Legal Aid Administration shall, within 14 days after it has taken a decision regarding granting the financial support, prepare a letter of guarantee regarding granting of the financial support for payment for the legal aid provided in foreign states of the legal aid provider.

(2) In the letter of guarantee the Legal Aid Administration shall:

1) indicate the person who has been granted the financial support, and the category of the matter in which the financial support has been granted;

2) inform regarding the amount, disbursement conditions and procedures of the financial support granted, as well as regarding the necessity to submit documents to the Legal Aid Administration certifying that the legal aid provider in foreign states has provided legal counsel or ensured representation to the national of Latvia.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Section 14.11 Discontinuation of the Financial Support**

The Legal Aid Administration shall discontinue provision of the financial support and inform the national of Latvia, if he or she has not submitted to the Legal Aid Administration the document referred to in Section 14.10, Paragraph two, Clause 2 of this Law certifying provision of legal aid.

[*2 February 2017 / Section shall come into force from 1 April 2017. See Paragraph 20 of Transitional Provisions*]

**Chapter V**

**Legal Aid in Administrative Matters**

**Section 15. Provision of Legal Aid in Administrative Matters**

The State shall ensure legal aid in administrative matters and a person may request legal aid until the coming into effect of the final court ruling:

1) in the appeal procedures during the process of granting asylum;

2) within the scope of appeal of a decision regarding the contested voluntary return decision or a decision regarding the contested removal order;

3) within the scope of appeal of a decision of the Orphan's and Custody Court on the protection of the rights and legal interests of the child;

4) in the case and in accordance with the procedures laid down in the Administrative Procedure Law.

[*10 December 2015; 2 February 2017*]

**Section 16. Types of Legal Aid in Administrative Matters**

The State shall ensure the following in administrative matters:

1) legal consultations;

2) the drawing up of procedural documents;

3) representation in court.

[*12 June 2009*]

**Chapter VI**

**Legal Aid in Criminal Matters**

**Section 17. Provision of Legal Aid in Criminal Matters**

A person who, in accordance with the law, has the right to defence and representation may request legal aid until the time of the coming into effect of the final court ruling.

[*12 June 2009*]

**Section 18. Types of Legal Aid in Criminal Matters**

The State shall ensure the following in criminal matters:

1) [21 October 2010];

2) the drawing up of procedural documents in criminal proceedings;

3) defence or representation in a criminal proceeding.

[*12 June 2009; 21 October 2010*]

**Section 19. Provision of Defence**

(1) A State-ensured advocate shall be called for the defence of a person in criminal proceedings in the cases and according to the procedures specified by the Criminal Procedure Law.

(2) The procedures by which the submission for legal aid specified by this Law shall be submitted and examined and a decision taken regarding the granting of legal aid or the refusal to grant legal aid shall not apply to the provision of defence in criminal proceedings.

[*19 June 2008 / The new wording of Section shall come into force on 1 January 2009. See the Transitional Provisions*]

**Section 20. Provision of Representation**

(1) A State-ensured advocate for the representation of a person in criminal proceedings shall be invited in the cases and according to the procedures specified by the Criminal Procedure Law.

(2) The procedures by which the submission for legal aid specified by this Law shall be submitted and examined and a decision taken regarding the granting of legal aid or the refusal to grant legal aid shall not apply to the provision of representation in criminal proceedings.

[*21 October 2010*]

**Chapter VII**

**Procedures for Provision of Legal Aid**

**Section 21. Competent Authority**

The Legal Aid Administration shall examine submissions regarding legal aid, take decisions regarding granting legal aid or refusal to grant it, and notify the decision to the submitter, as well as in the cases specified by this Law appoint the legal aid provider.

[*2 February 2017*]

**Section 22. Submission for Legal Aid and Information Regarding Legal Aid**

(1) A person who wishes to receive legal aid shall submit the following:

1) a submission for legal aid – a completed legal aid application form;

2) if necessary, copies of the documents certifying the information referred to in the form;

3) documents certifying the conformity of the person for receipt of legal aid.

(2) The Cabinet shall approve the sample legal aid application.

(3) A person may receive the legal aid application form, as well as information regarding the completion of the form and the documents to be attached thereto at the Legal Aid Administration or in the local government in the administrative territory of which the person has his or her declared place of residence or where he or she legally resides.

(4) The legal aid application form and information regarding the completion thereof shall be issued free of charge.

(5) A person shall submit a submission for legal aid (a completed legal aid application form) to the Legal Aid Administration.

(51) The foreigner to be removed shall submit a submission regarding the request for legal aid and income (within the meaning of this Law – a submission for legal aid) in the cases and according to the procedures specified by the Immigration Law.

(6) A person may receive information regarding legal aid in the appeal procedures during the granting of asylum from the institution which is responsible for examination of the asylum submission.

(61) A person may receive information in respect of a legal aid for the appeal of a decision regarding the contested voluntary return decision or a decision regarding the contested removal order in the cases and according to the procedures specified by the Immigration Law.

(7) If a decision has been taken regarding the granting of legal aid, a person has received legal aid, but the scope of legal aid specified in the Cabinet regulations provided for in Section 5, Paragraph five of this Law has not been fully used and the person wishes to receive further legal aid, he or she shall submit a submission to the Legal Aid Administration regarding further legal aid and, if necessary, copies of the documents which certify the information referred to in the submission.

(71) If the foreigner to be removed has not requested legal aid in accordance with the procedures specified by the Immigration Law and wishes to receive legal aid in administrative matters in the appeals procedure, he or she shall submit the submission for legal aid specified in the Immigration Law in accordance with the procedures specified by this Law. The Legal Aid Administration shall examine the abovementioned submission within the time period specified in Section 23, Paragraph one of this Law.

[*12 June 2009; 4 August 2011; 3 May 2012; 10 December 2015; 6 September 2018*]

**Section 23. Procedures by which Submissions for Legal Aid and Submissions for Further Legal Aid are Examined**

(1) The Legal Aid Administration shall, within 21 days, but in matters which affect the rights of children, within 14 days from the day when a submission for legal aid or a submission for further legal aid was received, evaluate the necessity and scope for the provision of legal aid and take a decision regarding the granting of or refusal to grant legal aid.

(11) Within 10 days following the receipt of a submission for legal aid from the institution which has taken the decision regarding a contested voluntary return decision or the decision regarding the contested removal order, in accordance with the procedures specified by the Immigration Law the Legal Aid Administration shall evaluate the relevant submission and take a decision regarding the granting of legal aid or regarding the refusal to grant legal aid in compliance with the conditions and procedures referred to in this Law. The relevant institution shall also be notified of the decision taken.

(2) If the Legal Aid Administration determines that additional information is necessary in order to take a decision, it shall, within seven days from the day of receipt of the submission, request additional information from the legal aid applicant and, if necessary, the provider of legal aid, State and local government institutions, informing the legal aid applicant thereof.

(3) Requesting additional information shall suspend the time period for taking of the decision referred to in Paragraphs one and 1.1 of this Section.

(4) If the Legal Aid Administration does not receive the information requested from a legal aid applicant within 15 days, it shall decide to refuse the granting of legal aid.

(5) A decision regarding the granting of or refusal to grant legal aid shall be an administrative act.

(6) The decision of the Legal Aid Administration regarding the granting of legal aid shall indicate the scope of the legal aid granted, the appointed legal aid provider, the place and time for the first meeting of the legal aid applicant and the provider, except the case referred to in Section 33, Paragraph three of this Law.

(7) A decision regarding the granting of legal aid in the part regarding the appointing of a legal aid provider shall not be an administrative act.

(8) The Legal Aid Administration shall leave a submission for legal aid or a submission for further legal aid without examination if:

1) a person revokes the submission for legal aid or the submission for further legal aid in writing;

2) a person who has submitted the submission for legal aid or the submission for further legal aid has died.

(9) The procedures for submitting and examining a submission laid down in this Law shall not apply to ensuring legal aid in the appeal procedures during the process of granting asylum and to administrative matters in which legal aid must be granted in the case and in accordance with the procedures laid down by the Administrative Procedure Law.

[*12 June 2009; 4 August 2011; 10 December 2015; 2 February 2017*]

**Section 23.1 Procedures by which Submissions for Legal Aid are Examined in Cases where the Representative, upon Examining the Case on the Merits, May Be Only an Advocate**

(1) The Legal Aid Administration shall, within one month from the day when the submission for legal aid or submission for further legal aid has been received, if the person requests it in the case referred to in Section 3, Paragraph 2.1 of this Law, evaluate the need for legal aid and the scope thereof, and shall take the decision to grant the legal aid or to refuse to grant it.

(2) If the Legal Aid Administration determines that additional information is necessary in order to take a decision, it shall, within 14 days from the day of receipt of the submission, request additional information from the legal aid applicant and, if necessary, from the provider of legal aid, State and local government institutions, and inform the legal aid applicant thereof.

(3) In the decision to grant the legal aid the Legal Aid Administration shall indicate the scope of legal aid granted and the time until which the contribution for the receipt of legal aid should be made.

(4) If the contribution for the receipt of legal aid has been received, the Legal Aid Administration shall prepare an order for the provider of legal aid within seven days. If the contribution for the receipt of legal aid has not been received, the Legal Aid Administration shall take the decision to suspend the legal aid granted in accordance with that laid down in Section 33, Paragraph seven of this Law.

(5) Conditions of Section 23, Paragraphs three, four, five, seven, and eight of this Law shall be applied when examining a submission.

[*6 September 2018*]

**Section 24. Changes in Information**

A legal aid applicant has a duty to notify the Legal Aid Administration regarding the changes in the information referred to in a submission immediately, but not later than within a period of seven days after learning thereof.

**Section 25. Notification of the Decision**

A decision regarding the granting of or refusal to grant legal aid shall be notified in writing, sending such notification to the address indicated by the legal aid applicant or delivering it in person. A decision regarding the granting of legal aid shall also be notified to the legal aid provider, except for the case referred to in Section 33, Paragraph three of this Law.

[*12 June 2009*]

**Section 26. Procedures for Contesting and Appeal of Decisions**

(1) A person may contest and appeal a decision of the Legal Aid Administration to grant legal aid or refuse to grant legal aid in accordance with the procedures specified by the Administrative Procedure Law.

(2) The ruling of an administrative district court may be appealed by submitting a cassation complaint to the Department of Administrative Cases of the Supreme Court. The cassation complaint shall be examined by written procedure, and shall not require the consent of the administrative procedure participants.

[*3 May 2012; 6 September 2018*]

**Section 27. Repeated Examination of a Submission**

(1) A person may not re-submit a submission for legal aid in a case regarding the same subject and on the same grounds except for the cases referred to in Paragraph two of this Section.

(2) A repeated submission for legal aid in a case regarding the same subject and on the same grounds is permitted only if the person has executed the decision of the Legal Aid Administration regarding the payment of the expenditure related to the provision of former legal aid, if such decision was taken and at least one of the following cases exists:

1) essential changes in the special situation, state of property or income level of a person have occurred;

2) a person has acquired the status of a low-income or needy person.

(3) Upon determining that a submission for legal aid in a case concerns the same subject and the same grounds, the Legal Aid Administration shall not examine it but return such submission to the person.

[*3 May 2012*]

**Section 28. Legal Aid Register**

(1) The Legal Aid Register shall be created and maintained by the Legal Aid Administration.

(2) The Cabinet shall determine the procedures for the setting up of the Legal Aid Register, the scope of and access to the information to be included therein.

[*10 December 2015*]

**Chapter VIII**

**Legal Aid Providers**

**Section 29. Legal Aid Contract and the Entering into thereof**

(1) A legal aid contract is a contract of public law, which shall be entered into by the Legal Aid Administration with a legal aid provider.

(2) The following shall be indicated in a legal aid contract:

1) the contracting parties;

2) the competence of a legal aid provider;

3) what type of legal aid the legal aid provider undertakes to provide;

4) the liability of the contracting parties;

5) the procedures for settling of accounts and provisions regarding the granting of financial and other resources;

6) the procedures for the quality control of the legal aid provider;

7) the term of validity of the contract;

8) the conditions of co-operation;

9) other essential conditions of the contract.

(3) A legal aid contract shall be entered into for a period not exceeding three years.

(4) A legal aid contract shall not be entered into with a person wishing to provide legal aid, if the Legal Aid Administration has previously given notice of termination of a legal aid contract, except where the legal aid contract has been terminated based on Section 29.1, Paragraph two, Clause 1 of this Law and the person has been acquitted or criminal proceedings have been terminated due to the circumstances exonerating the person.

(5) A legal aid contract may not be entered into with the person referred to in the introductory part of Section 30, Paragraph one, Clause 5 of this Law, if this person does not comply with any of the requirements referred to in Section 30, Paragraph one, Clause 5, Sub-clauses a, b, c or d, or if any of the circumstances referred to in Section 29.1, Paragraph two, Clauses 1, 2, 3, 4 or 5 of this Law are determined.

[*3 May 2012*]

**Section 29.1 Termination of a Legal Aid Contract**

(1) A legal aid contract shall be terminated:

1) upon expiry of the time period of the contract;

2) by a notice of termination of one party;

3) upon mutual agreement of both parties;

4) upon the death of the legal aid provider.

(2) The Legal Aid Administration shall terminate a legal aid contract with the legal aid providers referred to in Section 30, Paragraph one of this Law in any of the following cases:

1) the legal aid provider is a person on trial, accused or suspect in criminal proceedings for committing a criminal offence;

2) the legal aid provider has been punished for committing a criminal offence irrespective of the extinguishment or setting aside of a criminal record;

3) the legal aid provider has been convicted of committing a criminal offence but has been released from serving the punishment on the basis of limitation, amnesty or clemency;

4) criminal proceedings against the legal aid provider for committing a criminal offence have been terminated on the basis of limitation, amnesty or clemency;

5) the legal aid provider has been debarred from the number of sworn advocates or their assistants, dismissed from the office of a prosecutor or discharged from the office of a sworn bailiff or assistant thereof, from the office of a sworn notary, an assistant thereof or the office of a judge;

6) the legal aid provider has refused to provide legal aid without grounds or does not provide legal aid in conformity with the order, or does not respond to requests from the Legal Aid Administration to provide legal aid;

7) during the period indicated in the order the legal aid provider repeatedly cannot be reached at the address of the provision of legal aid and has not informed the Legal Aid Administration regarding a change in the address;

8) violations of other conditions in this Law and the legal aid contract have been determined in the actions of the legal aid provider (for example, the legal aid provider does not fulfil the conditions of the legal aid contract thoroughly or in a timely manner or has not submitted a notification in a timely manner to the Legal Aid Administration regarding the execution of its order) which could be grounds for the termination of the legal aid contract.

(3) Not later than one month following the expiry of the validity of the contract, the Legal Aid Administration shall evaluate the co-operation with a legal aid provider and take a decision regarding the re-entering into a legal aid contract.

[*3 May 2012*]

**Section 30. Legal Aid Providers**

(1) A contract regarding the provision of legal aid may be entered into with:

1) a person who, in accordance with Section 4 of the Advocacy Law, may be an advocate in the Republic of Latvia;

2) a sworn notary;

3) a sworn bailiff;

4) a state-recognised higher education institution which has been implementing an accredited study programme for not less than five years, as a result of completing of which a lawyer qualification is awarded and in which a course or unit established for providing of legal aid is headed by a Doctor of Law;

5) a natural person with the capacity to act, who meets all the following requirements:

a) he or she has completed an accredited study programme in law in a higher education institution (academic study programme in law or a second-level higher vocational study programme in law and a lawyer qualification),

b) he or she is fluent in the official language;

c) he or she is of good repute;

d) he or she has worked in a law specialty for at least five years following the acquisition of the qualification referred to in Sub-clause a) of this Clause;

6) an association or foundation registered in the Register of Associations and Foundations, which conform to the following requirements:

a) it has ensured the provision of legal aid continuously for at least five years;

b) it ensures that a person who complies with the requirements referred to in Paragraph one, Clauses 1, 2, 3 or 5 of this Section provides legal aid;

c) it has not had insolvency or proceedings proclaimed or initiated;

d) it has no tax and mandatory State social insurance contribution debts;

e) no illegal activities have been determined in the professional activities thereof.

(2) The persons referred to in Paragraph one of this Section may provide legal aid after entering into a legal aid contract with the Legal Aid Administration.

(3) [3 May 2012]

[*3 May 2012*]

**Section 31. Procedures by which Submissions for Entering into Legal Aid Contracts are Examined**

(1) The persons referred to in Paragraph one, Section 30 of this Law who wish to provide legal aid shall submit a submission to the Legal Aid Administration regarding the entering into of a legal aid contract, appending the documents certifying the information indicated therein. The Cabinet shall approve the standard form of the submission.

(2) The Legal Aid Administration shall evaluate the conformity of information with the information indicated in a submission and check the information regarding the reputation and qualification of a person.

(3) On inspecting the reputation of the persons referred to in Section 30, Paragraph one, Clause 5 of this Law, the Legal Aid Administration has the right to request information regarding the conditions of Section 29.1, Paragraph two, Clauses 1, 2, 3, 4 and 5, as well as regarding the administrative violations committed by the person.

(4) If the Legal Aid Administration requires additional information in order to take a decision regarding the entering into of a legal aid contract, the time period referred to in Paragraph five of this Section shall be suspended until the receipt of the information requested by the Legal Aid Administration.

(5) If the Legal Aid Administration determines that a person is qualified, of good repute and conforms with a category of persons referred to in Section 30, Paragraph one of this Law, within one month after the receipt of a submission, it shall take a decision regarding the entering into of a legal aid contract with the definite person. The Legal Aid Administration shall notify the person in question regarding the decision taken.

(6) A person may contest and appeal a decision of the Legal Aid Administration regarding the entering into of a legal aid contract, the refusal to enter into a legal aid contract or the termination of a legal aid contract in accordance with the procedure specified in Section 26 of this Law.

[*3 May 2012*]

**Section 31.1 Evaluation of the Provider of Legal Aid**

(1) On taking a decision regarding the entering into of a legal aid contract, the Legal Aid Administration shall evaluate the compliance of a person with the requirements specified in Section 30 of this Law, as well as the skills and reputation of the person. On taking a decision regarding the entering into of a legal aid contract with the person referred to in Section 30, Paragraph one, Clause 5 of this Law, the Legal Aid Administration shall in addition evaluate the circumstances referred to in Section 29, Paragraph five of this Law.

(2) On taking a decision regarding the re-entering into a legal aid contract or evaluating the termination of a legal aid contract, the Legal Aid Administration shall, in addition to that specified in Paragraph one of this Section, evaluate the co-operation with the legal aid provider during the period of operation of the legal aid contract, the complaints received from the legal aid applicant regarding the quality and communication of the operations of the legal aid provider, the timeliness and quality of the performance of the duties specified in the legal aid contract, as well as the circumstances referred to in Section 29.1, Paragraph two of this Law.

[*3 May 2012*]

**Section 32. Duties and Liability of a Legal Aid Provider**

(1) A legal aid provider shall provide legal aid in accordance with the conditions of this Law and a legal aid contract.

(2) A legal aid provider is liable for the quality of the legal aid provided in accordance with the conditions of this Law, other laws and regulations and a legal aid contract.

(3) A legal aid provider is liable for losses incurred as a result of his or her professional activity.

(4) The Legal Aid Administration has the right to recover losses from a legal aid provider in accordance with the procedure specified in Section 35 of this Law, which have been incurred as a result of his or her professional activity.

(5) A legal aid provider may not refuse to provide legal aid, except for the case where the requested legal aid does not conform to the conditions of the legal aid contract or ethical considerations or restrictions provided for by laws and regulations do not permit such aid. A legal aid provider shall immediately notify the Legal Aid Administration accordingly.

(6) A legal aid provider has the duty to inform the Legal Aid Administration if the non-compliance of the legal aid recipient with the conditions referred to in Section 3 of this Law has been determined.

(7) A legal aid provider shall observe confidentiality and, observing the conditions specified in this Law and in a legal aid contract, shall not disclose information to a third party which has become known thereto.

(8) A legal aid provider has a duty to inform the court in a timely manner regarding provision of legal aid in a matter, as well as regarding suspension of provision of legal aid.

[*3 May 2012; 10 December 2015*]

**Section 33. Assignment of Legal Aid Provider**

(1) When taking a decision regarding the granting of legal aid, the Legal Aid Administration shall assign a legal aid provider to a specific matter.

(2) The Legal Aid Administration shall choose a legal aid provider, taking into account his or her:

1) competence;

2) specialisation;

3) workload;

4) ability to provide legal aid in a specific matter (for example, evaluate the possibility of a conflict of interests);

5) location in order to evaluate the distance a person has to take in order to receive legal aid.

(3) In exceptional cases, when taking a decision regarding the granting of legal aid, it is not possible to assign a legal aid provider and specify the time and place of the first meeting of the legal aid applicant and the provider, the Legal Aid Administration shall assign a legal aid provider after taking of a decision regarding the granting of legal aid and inform the legal aid applicant regarding the scope of the legal aid and the time and place of the first meeting with the legal aid provider.

(4) The Legal Aid Administration shall indicate the following information in an order:

1) the given name, surname, personal identity number, place of residence and contact details of the legal aid applicant;

2) the given name, surname or name, place of practice and contact details of the legal aid provider;

3) the category of matters in which legal aid was granted;

4) the type and scope of legal aid;

5) the time of the legal aid provision;

6) the time and place of the first meeting of the legal aid applicant and the provider, or the procedures by which the legal aid applicant may contact the legal aid provider.

(5) The order is not an administrative act.

(6) The Legal Aid Administration shall assign a legal aid provider to an asylum seeker, if the relevant application has been received from an institution which is responsible for the examination of the application for asylum and the evaluation of the necessity for legal aid.

(61) The Legal Aid Administration shall assign a legal aid provider to a person, if a relevant decision has been received from a judge or court in the case and in accordance with the procedures laid down in the Administrative Procedure Law. The Legal Aid Administration shall notify the judge or court regarding appointing of a legal aid provider.

(7) The Legal Aid Administration shall not ensure the implementation of the decision taken regarding granting of legal aid and shall suspend the provision of legal aid if:

1) a person submits the relevant request in writing;

2) a person to whom legal aid has been granted has died;

3) an opinion has been received from the legal aid provider regarding the ineffectiveness of further legal aid;

4) a person has, without a substantiated reason, repeatedly not visited the legal aid provider at the place and time indicated and has not notified the Legal Aid Administration or the legal aid provider regarding the non-attendance or refuses to co-operate in the receipt of legal aid or in ensuring the implementation of the granting of legal aid;

5) after taking of the decision regarding the granting of legal aid, it has been established that the person does not conform with the requirements of Section 3 of this Law;

6) it is established that the expenses related to ensuring legal aid are incommensurably high in comparison with the claim amount;

7) a person has provided false information when requesting legal aid;

8) the person has failed to pay the contribution for the receipt of legal aid in the case and according to the procedures laid down by this Law.

(8) The Legal Aid Administration has the right to suspend a decision regarding the execution of the granting of legal aid, if it is necessary to request additional information to ensure legal aid. Following the receipt of the additional information the Legal Aid Administration shall renew the decision regarding the execution of the granting of legal aid.

[*12 June 2009; 3 May 2012; 2 February 2017; 6 September 2018*]

**Section 33.1 The List of Legal Aid Providers which Provide Legal Aid to an Asylum Seeker and a Foreigner to be Removed**

(1) The Legal Aid Administration shall compile a list of such legal aid providers which provide legal aid in the cases and in accordance with the procedures laid down by the Asylum Law and the Immigration Law to asylum seekers or a foreigner to be removed. Legal aid providers which have entered into a legal aid contract with the Legal Aid Administration shall be included in the abovementioned list, taking into account the competence, specialisation, location of the legal aid provider and other circumstances, as well as the undertaking to provide legal aid in the relevant category of matters.

(2) The Legal Aid Administration shall compile the list referred to in Paragraph one of this Section once every calendar year quarter until the fifteenth date of the third month of each quarter and send it to the State Border Guard within five days.

[*10 December 2015*]

**Chapter IX**

**Payment of Expenses Related to Legal Aid**

**Section 34. The Duty of Payment of the Expenses Related to Legal Aid**

(1) A person who has received legal aid shall reimburse the expenses related to legal aid in full amount if the Legal Aid Administration determines that:

1) the person has indicated false information that has been the grounds for the receipt of legal aid;

2) the person abuses his or her rights to legal aid including the non-observance of the duties specified in Section 4 of this Law;

3) the person has received undue legal aid;

4) [19 June 2008];

5) [12 June 2009].

(2) [12 June 2009]

(3) [12 June 2009]

(4) A person requesting legal aid in a cross-border dispute shall pay for the translation expenses that are covered from the State budget if the competent authority of another state refuses the provision of legal aid.

[*19 June 2008; 12 June 2009; 3 May 2012*]

**Section 35. Procedures for Payment of Expenses Related to Legal Aid**

(1) The Legal Aid Administration, having determined any of the cases referred to in Section 34 of this Law, may take the decision on the payment of expenses related to the provision of legal aid. The referred to decision shall be taken not later than three years from the last day of the provision of the respective legal aid.

(2) In accordance with the procedures specified in Section 25 of this Law, the Legal Aid Administration shall notify a person regarding the decision taken. The person may contest and appeal this decision in accordance with the procedures specified in Section 26 of this Law.

(3) In the decision on the payment of expenses related to the provision of legal aid the Legal Aid Administration shall indicate the amount of expenses to be repaid and the State budget account to which they are to be transferred, and also the warning of compulsory enforcement of the decision.

(4) A person shall pay the expenses related to the provision of legal aid within 30 days from the day of the coming into effect of the decision specified in Paragraph one of this Section and submit documents confirming payment to the Legal Aid Administration.

(5) If there are substantiated reasons, a person, upon submitting a motivated submission in writing, may request the Legal Aid Administration to divide the payment of the amount indicated in the decision specified in Paragraph one of this Section in instalments.

(6) If payment of the amount of expenses to be repaid is divided in instalments, the whole amount shall be repaid not later than within one year from the day of the coming into effect of the decision of the Legal Aid Administration regarding payment of the expenses which are related to the provision of legal aid.

(61) [10 December 2015]

(7) If a person does not fulfil the decision specified in Paragraph one of this Section and does not voluntarily pay the expenses related to the provision of legal aid, the Legal Aid Administration shall submit the decision on the payment of expenses related to the provision of legal aid to a sworn bailiff for compulsory enforcement in accordance with the procedures specified in the Administrative Procedure Law. If payment of the amount of expenses to be repaid is divided in instalments, the end date of the repayment or the date of failure to make the current payment according to the repayment schedule shall be considered as the time period for voluntary enforcement.

(8) The expenses repaid related to legal aid shall be transferred into the State budget.

(9) The Legal Aid Administration, ensuring the recovery of the expenses related to the provision of legal aid, has the right to request the necessary information from a person, other State and local government institutions, as well as the right to request information from a sworn bailiff regarding the procedure of the recovery of expenses related to the provision of legal aid.

[*12 June 2009; 3 May 2012; 10 December 2015; 6 September 2018*]

**Transitional Provisions**

1. Until the adoption of the Regulations referred to in Paragraph two, Section 3 of this Law, but not later than by 1 August 2005, the Cabinet Regulation No. 97 of 25 February 2003, Procedures by which a Family or Separately Living Person shall be Recognised as Needy and the Cabinet Regulation No. 502 of 4 November 2002, Procedures by which Income and Material Status of Low–Income Person shall be Evaluated, apply in determining the special situation, state of property and income level of a person.

2. The Legal Aid Administration shall be established by 30 December 2005. Until the establishment of the Legal Aid Administration, the functions thereof shall be performed by the responsible department of the Ministry of Justice.

3. Section 3, Paragraph one, Clause 7 of this Law in relation to asylum seekers shall come into force on 1 January 2007.

4. Chapter V of this Law shall come into force on 1 January 2006.

5. Chapter VI of this Law shall come into force simultaneously with the Criminal Procedure Law.

6. Until the day of the coming into force of the Cabinet Regulations referred to in Section 5, Paragraph three of this Law, which regulate the types, scope and amount of payment of State ensured legal aid and the reimbursable expenses related to the provision of State ensured legal aid, the amount and procedures for payment thereof, but not later than until 1 January 2009, the Cabinet Regulation No. 920 of 6 November 2006, Regulations Regarding the Types of State Ensured Legal Aid, the Maximum Number of Hours, Amount and Procedures for Payment, shall be applicable, insofar as it is not in contradiction with this Law.

[*19 June 2008*]

7. The amendments regarding the new wording of Section 9, Paragraph two, Section 18, Paragraph one, Sections 19 and 20, as well as Section 33, Paragraphs one and three shall come into force on 1 January 2009.

[*19 June 2008*]

8. The Legal Aid Administration shall examine the submissions regarding legal aid, which have been received by the Legal Aid Administration until 30 June 2009, grant legal aid and ensure it in accordance with such procedures and in those cases and amounts, which were determined by the legal framework that was in force until 30 June 2009.

[*12 June 2009*]

9. In matters in which legal aid was granted until 30 June 2009, submissions regarding further legal aid shall be evaluated and legal aid granted by the Legal Aid Administration in those cases and amounts, which were determined by the legal framework that was in force until 30 June 2009.

[*12 June 2009*]

10. Until the day of the coming into force of the Cabinet regulations referred to in Section 3, Paragraph three of this Law, which regulate the cases in which the state of property and income level of a person referred to in Section 3, Paragraph one, Clauses 6 and 8 of this Law is regarded as appropriate for the granting of legal aid, and the procedures for evaluation thereof, but not later than until 31 December 2009, the Cabinet Regulation No. 558 of 4 July 2006, Regulations Regarding the Conformity of the Special Situation, State of Property and Income Level of a Person for the Granting of State Ensured Legal Aid, shall be applicable, insofar as it is not in contradiction with this Law.

[*12 June 2009*]

11. Until the day of the coming into force of the Cabinet regulations referred to in Section 5, Paragraph five of this Law, which regulate the types and scope of legal aid ensured by the State, the amount of payment, and the reimbursable expenses related to the provision of State ensured legal aid, the amount and procedures for payment thereof, but not later than until 31 December 2009, the Cabinet Regulation No. 1068 of 22 December 2008, Regulations Regarding the Scope and Procedures for Payment of State Ensured Legal Aid, Reimbursable Expenses and the Procedures for Payment thereof, shall be applicable, insofar as it is not in contradiction with this Law.

[*12 June 2009*]

12. Until the day of the coming into force of the Cabinet regulations referred to in Section 22, Paragraph two of this Law, which regulate the sample application forms for legal aid, but not later than until 31 December 2009, the Cabinet Regulation No. 850 of 11 December 2007 Regulations Regarding Sample Application Forms for Legal Aid shall be applicable, insofar as it is not in contradiction with this Law.

[*12 June 2009*]

13. For private charges in matters regarding criminal offences undergoing legal proceedings, which have been classified according to Section 130, Paragraph two, Sections 157 and 159 of the Criminal Law in relation to defamation in the mass media, a State-ensured advocate shall be assigned and ensured as a representative by the Legal Aid Administration to the victim according the procedures and in the extent determined by the legal framework, which was in force until 31 December 2010. For private charges in matters regarding criminal offences which have been classified according to Section 130, Paragraph one of the Criminal Law, in which legal proceedings after 31 December 2010 should be terminated according to the procedures specified in the Criminal Law, the Legal Aid Administration shall not grant legal aid, shall not ensure the execution of the decision taken regarding legal aid and shall suspend the provision of legal aid, notifying the person thereof.

[*21 October 2010*]

14. If a submission requesting legal aid for the commencement of criminal proceedings in private charges is received or if a decision is taken regarding the granting of legal aid for the commencement of criminal proceedings in private charges until 31 December 2010, and criminal proceedings in a private charge have not commenced until 31 December 2010, the Legal Aid Administration shall not grant legal aid, shall not ensure the execution of a decision taken regarding legal aid and shall suspend the provision of legal aid, notifying the person thereof, as well as informing the person of the rights and State-ensured legal aid, if subsequent legal aid is to be ensured in accordance with the procedures specified in the Criminal Procedure Law.

[*21 October 2010*]

15. Until 1 December 2011 the Legal Aid Administration shall compile the first list of legal aid providers referred to in Section 33.1 of this Law and send it to the institution which detains a foreigner to be removed in the cases and according to the procedures specified by the Immigration Law.

[*4 August 2011*]

16. The amendments to this Law regarding the addition of Clause 9 to Section 3, Paragraph one, the addition of Paragraph 2.1 to Section 5, the addition of the words “within the scope of appeal of a decision regarding the contested voluntary return decision or a decision regarding the contested removal order” after the word “asylum” to Section 15, the addition of Paragraph 5.1, 6.1 and 7.1 to Section 22, the addition of Paragraph 1.1 to Section 23, as well as the amendment to Section 3, Paragraph three of this Law regarding the replacement of the figures and words “Clauses 6 and 8” with the figures and words “Clauses 6, 8 and 9” and the amendments to Section 23, Paragraph three of this Law regarding the replacement of the words “in Paragraph one” with the words and figures “in Paragraphs one and 1.1” shall come into force on 23 December 2011.

[*4 August 2011*]

17. Until the day of the coming into force of the Cabinet Regulations referred to in Section 31, Paragraph one of this Law, which provide that the Cabinet approves the sample application form for legal aid, but not longer than after 30 September 2012, Cabinet Regulation No.361 of 31 May 2005 Regulations Regarding Sample Application Forms for the Acquisition of the Status of a Legal Aid Provider shall be applicable insofar as they are not in contradiction with this Law.

[*3 May 2012*]

18. The amendments regarding the new wording of the first sentence of Section 14.2, Paragraph 1.1 of this Law shall come into force concurrently with the coming into force in the European Union of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.

[*3 May 2012*]

19. Amendments to the second sentence of Section 5, Paragraph six and to Section 5, Paragraph seven of this Law shall come into force on 1 March 2016.

[*10 December 2015*]

20. Amendments to Section 3 of this Law on its supplementation with Paragraph four and to Section 4 on its supplementation with Paragraph six, and Chapter IV.2 of this Law “Granting and Ensuring of the Financial Support to the Nationals of Latvia for the Protection of the Infringed or Contested Rights of a Person or his or her Interests Protected by the Law which are Related to Discontinuation or Removal of the Custody Rights of the Child in Foreign States” shall come into force on 1 April 2017.

[*2 February 2017*]

**Informative Reference to European Union Directives**

[*3 May 2012*]

The legal norms arising from Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes have been included in this Law.

This Law shall come into force on 1 June 2005.

This Law has been adopted by the *Saeim*a on 17 March 2005.

Acting for the President,

Chairperson of the *Saeima* I. Ūdre

Rīga, 1 April 2005