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

27 September 2011 [shall come into force on 1 October 2011];

11 December 2012 [shall come into force on 1 January 2013];

17 September 2013 [shall come into force on 1 January 2014];

3 December 2013 [shall come into force on 1 January 2014];

22 April 2015 [shall come into force from 30 April 2015];

28 June 2016 [shall come into force from 1 July 2016];

3 January 2017 [shall come into force from 6 January 2017];

27 March 2018 [shall come into force from 1 April 2018];

11 December 2018 [shall come into force from 1 January 2019].

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

Republic of Latvia

Cabinet

Regulation No. 1493

Adopted 22 December 2009

**Regulations Regarding the Amount of State-Ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof**

*Issued pursuant to*

*Section 84, Paragraph two and Section 104, Paragraph five of the Criminal Procedure Law and Section 5, Paragraph five of the State Ensured Legal Aid Law*

**I. General Provisions**

1. This Regulation prescribes the types and amount of State-ensured legal aid (hereinafter – the legal aid), the amount of payment and the reimbursable expenses related to the provision of legal aid, their amount and payment procedures.

2. Payment for the legal aid shall be calculated as follows:

2.1. for a legal consultation in Constitutional Court proceedings, civil cases, cross-border dispute cases, and administrative cases – for full hours;

2.2. for the provision of legal aid at a court hearing – representation in Constitutional Court proceedings, civil cases, cross-border dispute cases, and administrative cases and representation and defence in criminal proceedings – for full 30 minutes.

[*11 December 2018*]

3. If the provider of legal aid is registered as the payer of value added tax, the provider of legal aid shall add the amount of value added tax laid down in the Value Added Tax Law to the amount of payment laid down in Paragraphs 8.1, 9 and 28 of this Regulation.

[*27 September 2011; 17 September 2013; 11 December 2018*]

4. Other expenses related to the provision of legal aid which are determined in Paragraphs 35, 36, 36.1 and 36.2 of this Regulation shall not be taxable with personal income tax and subject to the mandatory State social insurance contributions in accordance with the law On Personal Income Tax and the law On State Social Insurance.

[*11 December 2018*]

**II. Types of Legal Aid**

4.1 The State shall ensure the following legal aid in Constitutional Court proceedings:

4.1 1. legal counsel;

4.1 2. preparation of procedural documents;

4.1 3. provision of legal aid at a court hearing.

[*11 December 2018*]

5. The State shall ensure the following legal aid in civil cases:

5.1. legal consultations during extrajudicial stage and stage of legal proceedings;

5.2. drawing up of a procedural document during extrajudicial stage and stage of legal proceedings;

5.3. representation in court.

6. In the cases laid down in the State Ensured Legal Aid Law, the State shall ensure the following legal aid in administrative cases:

6.1. legal consultations during extrajudicial stage and stage of legal proceedings;

6.2. drawing up of a procedural document during extrajudicial stage and stage of legal proceedings;

6.3. representation in court.

[*27 September 2011 / Amendments to the Paragraph shall come into force on 23 December 2011. See Paragraph 2 of amendments*]

7. The State shall ensure the following legal aid in cross-border dispute cases:

7.1. legal consultations during extrajudicial stage, stage of legal proceedings and stage of execution of a court adjudication or public act;

7.2. drawing up of a procedural document during extrajudicial stage, stage of legal proceedings and stage of execution of a court adjudication or public act;

7.3. representation in court.

8. The State shall ensure the following legal aid in criminal proceedings:

8.1. [27 September 2011];

8.2. drawing up of a procedural document during stages of pre-trial process and legal proceedings;

8.3. representation and defence during pre-trial process and at a court hearing (including cases concerning application of compulsory measures of correctional or medical nature and deciding on issues related to the execution of such punishment which has been determined by a court judgment or in the prosecutor penal order).

**II.1 Amount of Payment for the Legal Aid Provided in Constitutional Court Proceedings**

[*11 December 2018*]

8.1 The State shall pay the following amount to the provider of legal aid for legal aid to one person in Constitutional Court proceedings:

8.11. for a provided legal consultation – EUR 40 per hour;

8.12. for examining the initial application and materials (for example, case law, materials of international organizations) if afterwards the legal aid provider has given an opinion that legal aid is unnecessary – EUR 140;

8.13. for drawing up a constitutional complaint (application), including examining the initial application and materials (for example, case law, materials of international organizations) – EUR 400;

8.14. for drawing up adenda to a constitutional complaint (application) – EUR 80;

8.15. for drawing up an opinion in the written procedure – EUR 200;

8.16. for examining one volume of case materials in court – EUR 40;

8.17. for the provision of legal aid at a court hearing – EUR 80 per hour.

[*11 December 2018*]

8.2 The State shall cover expenses for the legal consultation referred to in Sub-paragraph 8.11 of this Regulation for maximum of five hours per matter.

[*11 December 2018*]

8.3 The State shall cover expenses for drawing up not more than three of the documents referred to in Sub-paragraphs 8.13, 8.14, and 8.15 of this Regulation per case.

[*11 December 2018*]

8.4 The State shall cover expenses for the provision of legal aid at a court hearing for maximum of 40 hours per case.

[*11 December 2018*]

8.5 Conditions of Paragraphs 14, 15, 16, 17, 17.1, 18, 19, 20 and 21 of this Regulation shall apply to types of legal aid and amount of payment referred to in Constitutional Court procedures in accordance with the principle laid down in this Regulation for the calculation of the payment for the provided legal aid.

[*11 December 2018*]

**III. Amount of Payment for the Legal Aid Provided in Civil Cases, Administrative Cases and Cross-border Dispute Cases**

9. The State shall pay the following amount to the provider of legal aid for legal aid to one person in a civil case, administrative case and cross-border dispute case:

9.1. for a provided legal consultation – EUR 20 per hour;

9.2. for drawing up a statement of claim, application for the commencement of proceedings, creditors claim in insolvency proceedings, counterclaim, ancillary complaint or settlement – EUR 50;

9.3. for drawing up an appellate complaint – EUR 65;

9.4. for drawing up a cassation complaint – EUR 80;

9.5. for drawing up such a document necessary for settling a case for which the content requirements are laid down in laws and regulations and for the preparation of which legal knowledge is necessary (for example, opinion or explanations (except for a document for requesting information and the documents referred to in Sub-paragraphs 9.2, 9.3, and 9.4 of this Regulation)) – EUR 25;

9.6. for drawing up an addendum to the documents referred to in Sub-paragraphs 9.2, 9.3, and 9.4 of this Regulation – EUR 25;

9.7. for representation at a court hearing – EUR 40 per hour;

9.8. for examining one volume of materials of a civil, administrative or cross-border dispute case in court within one court instance – EUR 20.

[*28 June 2016; 27 March 2018*]

10. The State shall cover the expenses for the legal consultation referred to in Sub-paragraph 9.1 of this Regulation – for maximum of five hours per case.

11. The State shall cover the expenses for drawing up not more than five of the documents referred to in Sub-paragraphs 9.2, 9.3, 9.4, 9.5 and 9.6 of this Regulation per case.

12. The State shall cover the expenses for representation at a court hearing for maximum of 40 hours per case.

13. Payment to the provider of legal aid shall be determined at a double hourly rate in accordance with the conditions of this Regulation if within a civil case, administrative case, cross-border dispute case or administrative case the provider of legal aid, upon an invitation of the competent institution and an appointment by the Legal Aid Administration (hereinafter – the Administration), and in the cases and according to the procedures laid down by the Immigration Law or Asylum Law, provides the legal consultation referred to in Sub-paragraph 9.1 of this Regulation in the place of residence or location (e.g. medical treatment institution, deprivation of liberty institution, accommodation centre for detained foreigners) of the recipient of legal aid if the recipient of legal aid due to reasons beyond his or her control (for example, disability or health condition) is unable to arrive at the place of practice of the provider of legal aid.

[*11 December 2012; 28 June 2016*]

14. For a provider of legal aid who provides the legal consultation referred to in Sub-paragraph 9.1 of this Regulation simultaneously to two or more persons in one civil case, administrative case or cross-border dispute case, payment per hour of legal consultation shall be calculated in the amount laid down in Sub-paragraph 9.1 of this Regulation.

15. For a provider of legal aid who draws up the documents referred to in Sub-paragraphs 9.2, 9.3, 9.4, 9.5 and 9.6 of this Regulation on behalf of two or more persons in one civil case, administrative case or cross-border dispute case, payment per document shall be calculated in the amount laid down in Sub-paragraphs 9.2, 9.3, 9.4, 9.5 and 9.6 of this Regulation.

16. If the legal aid referred to in Sub-paragraphs 9.1, 9.2, 9.3, 9.4, 9.5 and 9.6 of this Regulation is provided simultaneously to two or more persons in one civil case, administrative case or cross-border dispute case, the Administration shall reduce the amount of the type of legal aid granted in accordance with the procedures laid down in the State Ensured Legal Aid Law for each recipient of legal aid according to the type of legal aid granted.

17. For a provider of legal aid who represents two or more persons in one civil case, administrative case or cross-border dispute case payment for the representation of each person at a court hearing shall be calculated in the amount of 65 % of the sum provided for in Sub-paragraph 9.7 of this Regulation.

17.1 For a provider of legal aid who represents two or more persons in one civil case, administrative case or cross-border dispute case, payment per person for examining one volume of materials of a civil, administrative or cross-border dispute case in court shall be calculated in the amount of 65 % of the sum provided for in Sub-paragraph 9.8 of this Regulation.

[*11 December 2012*]

18. Exceptions to the conditions referred to in Paragraphs 10, 11, and 12 of this Regulation are permitted if the failure to provide legal aid restricts the guaranteed fundamental rights of a person and the Administration has taken the decision to provide legal aid as an exceptional measure or if legal aid is provided in an administrative case.

[*11 December 2012; 28 June 2016*]

19. In civil cases, administrative cases and cross-border dispute cases, the provider of the legal aid referred to in Sub-paragraph 9.1 of this Regulation shall be paid for the time spent by the provider of legal aid while waiting for the recipient of legal aid who fails to appear or notify of non-attendance in a timely manner, however, for maximum of one hour in the amount of 50 % of the payment for one legal consultation laid down in Sub-paragraph 9.1 of this Regulation. If the recipient of legal aid fails to appear without a justified reason and has not notified the provider of legal aid or the Administration of non-attendance in a timely manner, the Administration shall reduce the amount of the type of legal aid granted to the recipient of legal aid in accordance with the procedures laid down in the State Ensured Legal Aid Law by one hour.

[*11 December 2018*]

20. The time spent on ensuring the legal aid referred to in Sub-paragraph 9.7 of this Regulation in civil cases, administrative cases and cross-border dispute cases shall include the time spent by the provider of legal aid while waiting for the start of a court hearing at the time and place indicated until the time when the provider of legal aid is informed of the postponement of the hearing due to reasons not depending on the provider of legal aid or until the start of a court hearing if it is started with a delay. If a court hearing is postponed because of the recipient of legal aid and it is established that he or she has failed to attend it without a justified reason or to notify the court of non-attendance in a timely manner, the Administration shall reduce the amount of the type of legal aid granted to the recipient of legal aid in accordance with the procedures laid down in the State Ensured Legal Aid Law by the number of paid hours.

[*11 December 2018*]

21. The time referred to in Paragraph 20 of this Regulation shall be included in the time spent on ensuring legal aid, and the abovementioned circumstances shall be confirmed by a judge or by an employee appointed by the relevant institution if video conferencing is determined in the case and the provider of legal aid has participated in the examination of the case through video conferencing, by approving the notice on the provision of State-ensured legal aid in civil cases, administrative cases, and cross-border dispute cases (Annex 1).

[*11 December 2012; 28 June 2016*]

**IV. Amount of Payment for the Legal Aid Provided to a Person for the Commencement of Criminal Proceedings in Private Prosecution Cases**

[27 September 2011]

22. [27 September 2011]

23. [27 September 2011]

24. [27 September 2011]

25. [27 September 2011]

26. [27 September 2011]

27. [27 September 2011]

**V. Amount of Payment for the Legal Aid Provided in Commenced Criminal Proceedings**

28. The State shall pay to the provider of legal aid the following amount for legal aid to one person in criminal proceedings:

28.1. for drawing up a written application for compensating the harm to the victim – EUR 50;

28.2. for drawing up a written complaint in the cases provided for in the Criminal Procedure Law concerning the actions or rulings of the official performing the criminal proceedings, and application, amending or revocation of a procedural compulsory measure – EUR 50;

28.3. for drawing up a document required for the trial of the case in the written procedure (objection or explanation (except for the cases referred to in Sub-paragraphs 28.1, 28.2, 28.4, 28.5, and 28.6 of this Regulation)) – EUR 25;

28.4. for drawing up an appellate complaint – EUR 85;

28.5. for drawing up a cassation complaint – EUR 100;

28.6. for drawing up an addendum to the documents referred to in Sub-paragraphs 28.2, 28.4, and 28.5 of this Regulation – EUR 25;

28.7. for representation or defence during the stage of pre-trial proceedings – EUR 30 per hour;

28.8. for the representation or defence at a court hearing – EUR 40 per hour;

28.9 for the provision of legal aid to a suspect or accused person at a court hearing when deciding the matter of applying a security measure – EUR 30 per hour;

28.10. for examining one volume of materials of a criminal case in a court within one court instance (including when deciding the matter of applying a security measure in court) – EUR 20.

[*28 June 2016; 27 March 2018*]

29. If the provider of legal aid provides a legal consultation in the cases referred to in Sub-paragraphs 28.7, 28.8, and 28.9 of this Regulation which is related with the court hearing or with the relevant procedural action in which representation or defence must be provided according to the Criminal Procedure Law, then EUR 20 shall be added to the amount of payment as payment for the provided legal consultation.

[*28 June 2016*]

29.1 If the provider of legal aid ensures the consultation referred to in Paragraph 29 of this Regulation in a deprivation of liberty institution, the payment shall be determined at a double rate.

[*28 June 2016*]

30. The amount of payment referred to in Sub-paragraphs 28.1, 28.2, 28.3, 28.4, 28.5, and 28.6 of this Regulation includes a legal consultation by the provider of legal aid when drawing up a procedural document. If the document referred to in Sub-paragraph 28.3, 28.4, 28.5 or 28.6 of this Regulation is drawn up for two or more persons, the payment shall be made for the drawing up of one document. If after provision of the legal consultation it is established that the drawing up of the procedural document referred to in Sub-paragraphs 28.3, 28.4 and 28.5 of this Regulation is not justified and appropriate, payment in the amount of EUR 20 shall be made for the provision of the legal consultation.

[*27 September 2011; 28 June 2016; 3 January 2017; 11 December 2018*]

31. For the provider of legal aid who defends or represents two or more persons in one criminal proceeding, payment for the defence or representation of each person at a court hearing shall be calculated in the amount of 65 % of the sum provided for in Sub-paragraph 28.8 of this Regulation. In such case the payment referred to in Paragraph 29 of this Regulation for a legal consultation provided to each person shall be added to the payment amount.

[*11 December 2012; 28 June 2016*]

31.1 For the provider of legal aid who defends or represents two or more persons in one criminal proceeding, payment for examining one volume of materials of the criminal case in a court (including when deciding the matter of applying a security measure in court) for each person to be defended or represented shall be calculated in the amount of 65 % of the sum provided for in Sub-paragraph 28.10 of this Regulation.

[*11 December 2012; 28 June 2016; 3 January 2017*]

32. If in a criminal proceeding the provider of legal aid provides the legal aid specified in Sub-paragraph 28.7 or 28.9 of this Regulation on Saturdays, Sundays, public holidays or working days between 8 p.m. and 8 a.m., the payment shall be determined at a double hourly rate in accordance with the conditions of this Regulation. It shall also apply to the amount of payment for a legal consultation referred to in Paragraph 29 of this Regulation.

[*3 January 2017*]

33. The time spent for ensuring legal aid in criminal proceedings in accordance with Sub-paragraphs 28.7, 28.8, and 28.9 of this Regulation shall also include:

33.1. the time spent by the provider of legal aid while waiting for the start of a procedural action or a court hearing if another time had been indicated and it has not been respected due to reasons beyond the control of the provider of legal aid;

33.2. the time spent by the provider of legal aid who has arrived at the indicated time and place while waiting for the start of a procedural action or a court hearing until the time when the recipient of legal aid is informed of postponement of the hearing due to reasons beyond the control of the provider of legal aid.

[*28 June 2016*]

34. The time and actions referred to in Paragraph 33 of this Regulation shall be included in the time spent on ensuring legal aid, and the abovementioned circumstances or performance of actions shall be confirmed by the person directing the proceedings by approving the notice on the provision of State-ensured legal aid in criminal proceedings (hereinafter – the notice) (Annex 2).

**VI. Other Expenses Related to Provision of Legal Aid and Amount Thereof**

35. If the legal aid referred to in Sub-paragraphs 9.1, 9.7, 9.8, 28.7, 28.8, 28.9, and 28.10 of this Regulation is provided outside the republic city, municipality town or territory of a municipality in which the place of practice of the provider of legal aid is situated, his or her travelling (transport) expenses and hotel (accommodation) expenses shall be covered from the State budget in the following amount:

35.1. if the provider of legal aid uses his or her personal vehicle, the travelling (transport) expenses shall be covered according to the distance between the place of practice and the place of provision of legal aid indicated in accordance with the procedures laid down in Paragraph 48 or 49 of this Regulation, taking into account the fuel price and the fuel consumption of the vehicle, but no more than 10 litres per 100 kilometres travelled;

35.2. if the provider of legal aid uses public transportation (train or bus), travelling (transport) expenses shall be covered;

35.3. hotel (accommodation) expenses shall be covered, not exceeding the amount of travel expenses for accommodation determined for employees of State administration institutions and public agencies.

[*27 September 2011; 28 June 2016; 27 March 2018*]

36. If the legal aid referred to in Sub-paragraphs 9.1, 9.7, 9.8, 28.7, 28.8, 28.9, and 28.10 of this Regulation is provided outside the republic city, municipality town or territory of a municipality in which the place of practice of the provider of legal aid is situated, he or she shall, in addition to the expenses referred to in Paragraph 35 of this Regulation, be paid from the funds of the State budget for the time spent while travelling to the place of provision of legal aid and returning from it, based on the distance indicated by the provider of legal aid in accordance with the procedures laid down in Paragraph 48 or 49 of this Regulation, in the following amount:

36.1. from 50 to 100 kilometres – EUR 5;

36.2. from 101 to 150 kilometres – EUR 6;

36.3. from 151 to 200 kilometres – EUR 7;

36.4. from 201 to 300 kilometres – EUR 12;

36.5. from 301 to 400 kilometres – EUR 16;

36.6. from 401 to 500 kilometres – EUR 20;

36.7. more than 500 kilometres – EUR 25.

[*27 September 2011; 17 September 2013; 28 June 2016; 27 March 2018*]

36.1 If the legal aid referred to in Sub-paragraphs 8.1 1, 8.1 6, and 8.1 7 of this Regulation is provided outside the republic city, municipality town or territory of a municipality in which the place of practice of the provider of legal aid is situated, his or her travelling (transport) expenses and hotel (accommodation) expenses shall be covered from the State budget in accordance with the regulations and amount referred to in this Chapter.

[*11 December 2018*]

36.2 If the legal aid referred to in Sub-paragraphs 8.1 1, 8.1 6, and 8.1 7 of this Regulation is provided outside the republic city, municipality town or territory of a municipality in which the place of practice of the provider of legal aid is situated, he or she shall, in addition to the expenses referred to in Paragraph 36.1 of this Regulation, be paid from the funds of the State budget for the time spent while travelling to the place of provision of legal aid and returning from it in accordance with the amount of payment laid down in Paragraph 36 of this Regulation.

[*11 December 2018*]

37. [27 March 2018]

38. In an administrative case, appeal procedures within the framework of the process of granting asylum, when providing the legal aid referred to in Sub-paragraph 9.1 of this Regulation, the State shall cover expenses related to the services of an interpreter which arise when the recipient of legal aid communicates with the provider of legal aid – maximum five hours per one case. Such expenses shall be covered by the authority in charge of reviewing the request for asylum according to the rates determined by the providers of services of an interpreter.

[*27 September 2011; 28 June 2016*]

38.1 Within the scope of appellate procedures in an administrative case concerning a decision on a disputed voluntary return decision or a decision on a disputed removal order, the Administration shall, in the case laid down in the State Ensured Legal Aid Law, cover the expenses related to interpreting and translation services according to the rates determined by the providers of such services.

[*27 September 2011 / Paragraph shall come into force on 23 December 2011. See Paragraph 2 of amendments*]

39. In a cross-border dispute case, the Administration shall cover the expenses related to interpreting services and translation of documents, as well as the expenses related to the arrival of a person to court hearing (if necessary) according to the rates determined by the providers of such services.

**VII. Procedures by which Payment for the Provision of Legal Aid shall be Made and the Related Reimbursable Expenses shall be Disbursed**

40. In order to receive payment for the provision of the legal aid referred to in Paragraph 9 of this Regulation, the provider of legal aid shall submit to the Administration the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1).

[*27 September 2011; 11 December 2012*]

41. The provider of legal aid shall submit the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases for approval and, prior to giving a court ruling in civil cases and cross-border dispute cases, for the calculation of expenses related to the provision of legal aid to the judge involved in the examination of the relevant case or the employee appointed by the relevant institution if video conferencing is determined in the case immediately after performance of the assigned task – provision of the legal aid referred to in Sub-paragraph 9.7 of this Regulation.

[*28 June 2016*]

41.1 In order to receive payment for the provision of the legal aid referred to in Sub-paragraphs 9.1, 9.2, 9.3, 9.4, 9.6, and 9.8 of this Regulation in the cases and according to the procedures determined in the Asylum Law and the Immigration Law, the provider of legal aid shall submit to the Administration the notice (Annex 1) approved by the judge involved in the examination of the case, the employee of the relevant institution or a court employee involved in the examination of the case who has been appointed by the court president if video conferencing is determined in the case.

[*28 June 2016*]

42. In order to receive payment for the provision of the legal aid referred to in Sub-paragraphs 28.1, 28.2, 28.3, 28.4, 28.5, and 28.6 of this Regulation, the provider of legal aid shall submit to the Administration the notice (Annex 2) approved by the person directing the proceedings who is involved in the examination of the relevant case, an employee appointed by the court president if video conferencing is determined in the case, or the person responsible for receipt of documents in the addressee institution, and the elder of the sworn advocates who organises the work of providers of legal aid practising in the relevant court operation territory in criminal proceedings and draws up their duty schedule. In such cases, the person directing the proceedings who is involved in the examination of the relevant case, an employee appointed by the court president if video conferencing is determined in the case, or the person responsible for the receipt of documents in the addressee institution shall approve the notice immediately after receipt of the procedural document submitted by the provider of legal aid and shall add a certified copy of the notice to case materials.

[*3 January 2017*]

42.1 In order to receive payment for the provision of legal aid referred to in Paragraph 8.1 of this Regulation, the provider of legal aid shall submit to the Administration the notice (Annex 4) approved by the person receiving the legal aid and the court recorder of the appropriate Constitutional Court case.

[*11 December 2018*]

43. If the provider of legal aid has prepared the procedural document referred to in Sub-paragraphs 9.2, 9.3, 9.4, 9.5, 9.6, 28.1, 28.2, 28.3, 28.4, 28.5, and 28.6 of this Regulation on behalf of the recipient of legal aid and has issued it to the recipient of legal aid, and due to reasons beyond the control of the provider of legal aid it has not been submitted to the person directing the proceedings or the institution of the addressee and has not been sent by mail, the provider of legal aid shall, in order to receive payment for the provision of the relevant legal aid, submit to the Administration the notice on the provision of State-ensured legal aid in civil cases, administrative cases, and cross-border dispute cases (Annex 1) or the notice (Annex 2), adding a copy of the accordingly prepared procedural document thereto.

[*27 September 2011; 11 December 2012; 28 June 2016*]

44. In order to receive payment for the provision of the legal aid referred to in Sub-paragraphs 28.7, 28.8, 28.9, and 28.10 of this Regulation, the provider of legal aid shall submit to the Administration the notice (Annex 2) approved by the person directing the proceedings who is involved in the examination of the relevant case and the elder of the sworn advocates who organises the work of providers of legal aid practising in the relevant court operation territory in criminal proceedings and draws up their duty schedule. After performance of the task, the certified copy of the notice approved by the person directing the proceedings shall be added to materials of the criminal matter.

[*3 January 2017*]

44.1 If the elder of the sworn advocates who organises the work of providers of legal aid practising in the relevant court operation territory in criminal proceedings and draws up their duty schedule does not approve the notice (Annex 2) according to the procedures laid down in Paragraphs 42 and 44 of this Regulation, he or she shall inform the person directing the proceedings who is involved in the relevant case thereof within three working days.

[*3 January 2017*]

45. The notice referred to in Paragraph 40 of this Regulation on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) shall be submitted by the provider of legal aid to the Administration not later than 10 working days after full or partial performance of the task assigned by the Administration or – in the case laid down in this Regulation – after the day when the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases is approved. If a hearing has been set in a civil case or cross-border dispute case, the provider of legal aid shall submit the abovementioned notice to the Administration not later than 10 working days before the relevant hearing. The provider of legal aid shall submit the notice containing the information collected regarding the provided legal aid for which information has not been submitted to the Administration to the judge involved in the examination of the case for calculating the expenses in relation to the provision of the State-ensured legal aid.

[*11 December 2012; 28 June 2016*]

46. The provider of legal aid shall submit the notice (Annex 2) to the Administration within two months from the day it has been approved in accordance with the procedures laid down in Paragraphs 42 and 44 of this Regulation.

[*3 January 2017*]

47. In the case referred to in Paragraph 43 of this Regulation, the provider of legal aid shall submit the notice (Annex 2) and a copy of the procedural document added thereto to the Administration within two months after the day of drawing up the respective procedural document.

48. In order for the expenses referred to in Sub-paragraphs 35.1 and 35.2, as well as in Paragraph 36 of this Regulation to be covered, the provider of legal aid shall indicate in the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) the total distance travelled in kilometres – the distance from the place of practice of the provider of legal aid to the place of provision of legal aid and back in accordance with distances between populated areas in Latvia indicated in Annex 3 to this Regulation.

[*11 December 2012*]

49. If the place of provision of legal aid (respective populated area) is not included in Annex 3 to this Regulation, the provider of legal aid shall, in order for the expenses referred to in Sub-paragraphs 35.1 and 35.2, as well as in Paragraph 36 of this Regulation to be covered, indicate in the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) the total distance travelled in kilometres – the actual distance from the place of practice of the provider of legal aid to the place of provision of legal aid and back in accordance with the control device (measuring device) installed in the vehicle for measuring the number of kilometres travelled.

[*11 December 2012*]

50. In order for the expenses referred to in Sub-paragraphs 35.1, 35.2 and 35.3 of this Regulation to be covered, the provider of legal aid shall add to the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) original documents certifying travelling (transport) expenses and hotel (accommodation) expenses.

[*11 December 2012*]

51. Within two months after the Administration has received a fully and correctly completed notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) within the specified time period, the Administration shall transfer the payment to an account in a credit institution indicated by the provider of legal aid.

[*11 December 2012*]

51.1 The provider of legal aid may, in accordance with the procedures laid down in this Regulation, submit to the Administration the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) and the documents to be added thereto electronically, drawing them up in accordance with the laws and regulations regarding the drawing up and circulation of electronic documents if such documents conform to the requirements for completion and drawing up laid down in this Regulation.

[*11 December 2012*]

52. If the Administration establishes that copies of accordingly prepared documents or other information regarding the performance of a task is necessary to decide a matter concerning the payment for legal aid referred to Paragraphs 9 and 28 of this Regulation, the Administration shall inform the provider of legal aid within 10 working days or, considering the date set for the hearing, within a shorter time period.

[*27 September 2011; 28 June 2016*]

53. The provider of legal aid shall, within 10 working days after receiving the request of the Administration or within the time period set by the Administration, submit to the Administration copies of the prepared documents referred to Paragraphs 9 and 28 of this Regulation or provide other necessary information regarding the performance of a task.

[*27 September 2011; 28 June 2016*]

54. Payment to be made in accordance with the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) referred to in Paragraph 51 of this Regulation shall be suspended until receipt of all the document copies or information referred to in Paragraph 52 of this Regulation.

[*11 December 2012*]

55. If the Administration establishes that the submitted notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) is not completed fully and correctly in accordance with this Regulation, the Administration shall return the respective notice to the provider of legal aid for the elimination of errors or completion or, where necessary, it shall request additional information and inform the judge or person directing the proceedings who is involved in the particular case thereof. If the Administration establishes errors in calculations, it shall recalculate the amount of payment and transfer the calculated amount within two months to an account in a credit institution indicated by the provider of legal aid. If necessary, the provider of legal aid, the recipient of legal aid and the judge or person directing the proceedings who is involved in the particular case shall be informed of the recalculation.

[*11 December 2012*]

55.1 In the case referred to in Paragraph 55 of this Regulation, the provider of legal aid shall, within 10 working days after completion of the notice on the provision of the State-ensured legal aid in civil cases, administrative cases, and cross-border dispute cases (Annex 1) and the notice (Annex 2) and the elimination of errors, submit the relevant updated notice to the Administration, but the copy of the updated notice (Annex 2) – to the person directing the proceedings who is involved in the relevant case for adding to the case materials.

[*3 January 2017*]

55.2 The conditions of Paragraphs 43, 48, 49, 50, 51, 51.1, 52, 53, 54, 55 and 55.1 of this Regulation that govern the procedures for the application, verification, updating and payment of the notice shall apply to the payment procedures for the provision of legal aid in Constitutional Court proceedings for the application, certification, verification of the notice on the State-ensured legal aid in Constitutional Court proceedings (Appendix 4), and also for appending procedural documents thereto.

[*11 December 2018*]

**VIII. Closing Provisions**

56. Cabinet Regulation No. 1068 of 22 December 2008, Regulations Regarding the Amount of State-Ensured Legal Aid, Amount of Payment, Reimbursable Expenses and Procedures for Payment Thereof (*Latvijas Vēstnesis*, 2008, No. 202), is repealed.

57. In order to receive payment for the legal aid provided until 31 December 2009, the provider of legal aid shall submit the notice on the provision of State-ensured legal aid in civil cases, administrative cases and cross-border dispute cases (Annex 1) or the notice (Annex 2) to the Administration until 1 March 2010, and the Administration shall, in accordance with the procedures laid down in this Regulation, transfer to the provider of legal aid the payment for legal aid and other expenses related to provision of legal aid in accordance with the types of State-ensured legal aid and the amount of payment laid down in Cabinet Regulation No. 1068 of 22 December 2008, Regulations Regarding the Amount of State-Ensured Legal Aid, Amount of Payment, Reimbursable Expenses and Procedures for Payment Thereof.

58. Payment for the legal aid provided before 31 December 2013 and other expenses related to the provision of legal aid shall be transferred by the Administration to the provider of legal aid in accordance with the regulatory framework laid down in this Regulation until 31 December 2013.

[*11 December 2012*]

58.1 In order to receive payment for the legal aid provided until 31 December 2012, the provider of legal aid shall complete a notice on the provision of State-ensured legal aid in accordance with the regulatory framework of this Regulation that was in force until 31 December 2012, and shall submit the notice to the Administration until 1 March 2013. The Administration shall, in accordance with the provisions of this Regulation, transfer payment for legal aid and other expenses related to the provision of legal aid to the provider of legal aid in accordance with the regulatory framework of this Regulation that was in force until 31 December 2012.

[*11 December 2012*]

59. Between 1 January 2010 and 31 December 2013, the payment determined in Paragraph 9 of this Regulation to the provider of legal aid shall be covered in the following amount:

59.1. for the legal aid referred to in Sub-paragraph 9.1 of this Regulation – LVL 7 per hour;

59.2. for the legal aid referred to in Sub-paragraph 9.2 of this Regulation – LVL 10;

59.3. for the legal aid referred to in Sub-paragraph 9.3 of this Regulation – LVL 20;

59.4. for the legal aid referred to in Sub-paragraph 9.4 of this Regulation – LVL 30;

59.5. for the legal aid referred to in Sub-paragraph 9.6 of this Regulation – LVL 10;

59.6. for the legal aid referred to in Sub-paragraph 9.7 of this Regulation – LVL 10 per hour;

59.7. for the legal aid referred to in Sub-paragraph 9.8 of this Regulation – LVL 5.

[*11 December 2012*]

60. Sub-paragraph 9.5 of this Regulation shall come into force on 1 January 2014.

[*11 December 2012*]

60.1 Between 1 January 2014 and 31 December 2014, the payment referred to in Paragraph 9 of this Regulation shall be covered the provider of legal aid in the following amount:

60.1 1. for the legal aid referred to in Sub-paragraph 9.1 of this Regulation – EUR 14.23 per hour;

60.1 2. for the legal aid referred to in Sub-paragraph 9.2 of this Regulation – EUR 25.61;

60.1 3. for the legal aid referred to in Sub-paragraph 9.3 of this Regulation – EUR 31.30;

60.1 4. for the legal aid referred to in Sub-paragraph 9.4 of this Regulation – EUR 42.69;

60.1 5. for the legal aid referred to in Sub-paragraph 9.5 of this Regulation – EUR 19.92;

60.1 6. for the legal aid referred to in Sub-paragraph 9.6 of this Regulation – EUR 18.50;

60.1 7. for the legal aid referred to in Sub-paragraph 9.7 of this Regulation – EUR 18.50 per hour;

60.1 8. for the legal aid referred to in Sub-paragraph 9.8 of this Regulation – EUR 10.67;

[*3 December 2013*]

60.2 Between 1 January 2015 and 30 April 2015, the payment referred to in Paragraph 9 of this Regulation shall be covered the provider of legal aid in the following amount:

60.2 1. for the legal aid referred to in Sub-paragraph 9.1 of this Regulation – EUR 17.07 per hour;

60.2 2. for the legal aid referred to in Sub-paragraph 9.2 of this Regulation – EUR 28.46;

60.2 3. for the legal aid referred to in Sub-paragraph 9.3 of this Regulation – EUR 34.15;

60.2 4. for the legal aid referred to in Sub-paragraph 9.4 of this Regulation – EUR 44.11;

60.2 5. for the legal aid referred to in Sub-paragraph 9.5 of this Regulation – EUR 22.77;

60.2 6. for the legal aid referred to in Sub-paragraph 9.6 of this Regulation – EUR 22.77;

60.2 7. for the legal aid referred to in Sub-paragraph 9.7 of this Regulation – EUR 22.77 per hour;

60.2 8. for the legal aid referred to in Sub-paragraph 9.8 of this Regulation – EUR 14.23;

[*3 December 2013; 22 April 2015*]

61. Between 1 January 2010 and 31 December 2013, the payment determined in Sub-paragraphs 28.1, 28.3, 28.4, 28.5, 28.6, 28.7, 28.8 and 28.9 of this Regulation shall be covered the provider of legal aid in the following amount:

61.1. [27 September 2011];

61.2. [27 September 2011];

61.3. for the legal aid referred to in Sub-paragraph 28.1 of this Regulation – LVL 10;

61.3.1 for the legal aid referred to in Sub-paragraph 28.2.1 of this Regulation – LVL 10;

61.4. for the legal aid referred to in Sub-paragraph 28.3 of this Regulation – LVL 20;

61.5. for the legal aid referred to in Sub-paragraph 28.4 of this Regulation – LVL 30;

61.6. for the legal aid referred to in Sub-paragraph 28.5 of this Regulation – LVL 10;

61.7. for the legal aid referred to in Sub-paragraph 28.6 of this Regulation – LVL 10 per hour;

61.8. for the legal aid referred to in Sub-paragraph 28.7 of this Regulation – LVL 10 per hour;

61.9. for the legal aid referred to in Sub-paragraph 28.8 of this Regulation – LVL 10 per hour;

61.10. for the legal aid referred to in Sub-paragraph 28.9 of this Regulation – LVL 5.

[*27 September 2011; 11 December 2012*]

62. Sub-paragraph 28.2 and Paragraph 29 of this Regulation shall come into force on 1 January 2014.

[*11 December 2012*]

62.1 Between 1 January 2014 and 31 December 2014, the payment referred to in Paragraph 28 of this Regulation shall be covered the provider of legal aid in the following amount:

62.1 1. for the legal aid referred to in Sub-paragraph 28.1 of this Regulation – EUR 21.34;

62.1 2. for the legal aid referred to in Sub-paragraph 28.2 of this Regulation – EUR 19.92;

62.1 3. for the legal aid referred to in Sub-paragraph 28.2.1 of this Regulation – EUR 19.92;

62.1 4. for the legal aid referred to in Sub-paragraph 28.3 of this Regulation – EUR 49.80;

62.1 5. for the legal aid referred to in Sub-paragraph 28.4 of this Regulation – EUR 71.14;

62.1 6. for the legal aid referred to in Sub-paragraph 28.5 of this Regulation – EUR 18.50;

62.1 7. for the legal aid referred to in Sub-paragraph 28.6 of this Regulation – EUR 18.50 per hour;

62.1 8. for the legal aid referred to in Sub-paragraph 28.7 of this Regulation – EUR 18.50 per hour;

62.1 9. for the legal aid referred to in Sub-paragraph 28.8 of this Regulation – EUR 18.50 per hour;

62.1 10. for the legal aid referred to in Sub-paragraph 28.9 of this Regulation – EUR 10.67;

[*3 December 2013*]

62.2 Between 1 January 2014 and 31 December 2014, the State shall pay EUR 7.11 to the provider of legal aid for the legal aid referred to in Paragraph 29 of this Regulation.

[*3 December 2013*]

62.3 Between 1 January 2015 and 30 April 2015, the payment referred to in Paragraph 28 of this Regulation shall be covered the provider of legal aid in the following amount:

62.3 1. for the legal aid referred to in Sub-paragraph 28.1 of this Regulation – EUR 35.57;

62.3 2. for the legal aid referred to in Sub-paragraph 28.2 of this Regulation – EUR 27.03;

62.3 3. for the legal aid referred to in Sub-paragraph 28.2.1 of this Regulation – EUR 22.77;

62.3 4. for the legal aid referred to in Sub-paragraph 28.3 of this Regulation – EUR 56.91;

62.3 5. for the legal aid referred to in Sub-paragraph 28.4 of this Regulation – EUR 71.14;

62.3 6. for the legal aid referred to in Sub-paragraph 28.5 of this Regulation – EUR 22.77;

62.3 7. for the legal aid referred to in Sub-paragraph 28.6 of this Regulation – EUR 22.77 per hour;

62.3 8. for the legal aid referred to in Sub-paragraph 28.7 of this Regulation – EUR 22.77 per hour;

62.3 9. for the legal aid referred to in Sub-paragraph 28.8 of this Regulation – EUR 22.77 per hour;

62.3 10. for the legal aid referred to in Sub-paragraph 28.9 of this Regulation – EUR 14.23;

[*3 December 2013; 22 April 2015*]

62.4 Between 1 January 2015 and 30 April 2015, the State shall pay EUR 9.96 to the provider of legal aid for the legal aid referred to in Paragraph 29 of this Regulation.

[*3 December 2013; 22 April 2015*]

62.5 Payment for the legal aid provided before 31 December 2014 and other expenses related to the provision of legal aid shall be transferred by the Administration to the provider of legal aid in accordance with the regulatory framework laid down in this Regulation until 31 December 2014.

[*3 December 2013*]

62.6 Payment for the legal aid provided until 30 April 2015 and other expenses related to the provision of legal aid shall be transferred by the Administration to the provider of legal aid in accordance with the regulatory framework laid down in this Regulation until 30 April 2015.

[*3 December 2013; 22 April 2015*]

63. In order to receive payment for the legal aid provided in the cases and in accordance with the procedures laid down in Paragraph 9 of the Transitional Provisions of the State-Ensured Legal Aid Law, the provider of legal aid shall draw up a notice on carrying out the assignment of the Administration in accordance with the procedures laid down in this Regulation and shall submit it to the Administration, and the Administration shall, in accordance with the procedures laid down in this Regulation, transfer to the provider of legal aid the payment for legal aid and other expenses related to provision of legal aid according to the payable types of the State-ensured legal aid and amounts of payment in administrative and civil cases laid down in this Regulation.

63.1 In private prosecution cases undergoing legal proceedings, the State shall ensure legal aid in the amount laid down by the legislation that was in force until 30 December 2011, and shall pay to the provider of legal aid for the provision of legal aid and cover reimbursable expenses in the amount and in accordance with the procedures laid down in the legislation that were in force until 30 December 2011.

[*27 September 2011*]

63.2 Payment for the legal aid provided until 1 July 2016 and other expenses related to provision of legal aid shall be transferred by the Administration to the provider of legal aid in accordance with the regulatory framework laid down in this Regulation until 1 July 2016.

[*28 June 2016*]

63.3 Payment for the legal aid provided until 31 March 2018 and other expenses related to the provision of legal aid shall be transferred by the Administration to the provider of legal aid in accordance with the regulatory framework laid down in this Regulation until 31 March 2018.

[*27 March 2018*]

64. This Regulation shall come into force on 1 January 2010.

Prime Minister V. Dombrovskis

Minister for Justice M. Segliņš

**Annex 1**

Cabinet Regulation No. 1493

22 December 2009

[*27 March 2018*]

**Notice on the Provision of State-Ensured Legal Aid in Civil Cases, Administrative Cases and Cross-Border Dispute Cases**

(form shall be completed in capital letters)

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Submitted in accordance with** |  | **.** |  | **.** | **2** | **0** |  | **.** | **Number of the appointment or decision of the Legal Aid Administration** |  |  |  |  |  |  |  |  |  |  |  |
|  |  | **.** |  | **.** | **2** | **0** |  | **.** | **State Border Guard invitation** |  |  |  |  |  |  |  |  |  |  |  |
|  | (dd/mm/yyyy) | | | | | | | |  |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Given name, surname of the provider of legal aid** |  | | | | | | | | | | | | | |
| **Given name, surname of the recipient of legal aid** | **Personal identity number** (if no personal identity number is available, indicate the date of birth) | | | | | | | | | | | | **Place of residence/location** | **Telephone number (if any)** |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of the civil case/administrative case/cross-border dispute case and subject of the dispute** |  |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Type of legal aid** | **Date** | **Time** | | **Payment (EUR)** (hour/volume/  procedural document1, 2) | **Amount**  (number of hours/procedural documents/volumes) | **Amount (EUR)** |
| **from \_\_** | **until \_\_\_\_\_\_ oʼclock** |
| Legal consultation1**,** 2 |  |  |  | **20** |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Drawing up of a procedural document – statement of claim, application for the commencement of court proceedings, creditors claim in insolvency proceedings, counterclaim, ancillary complaint or settlement |  | x | x | **50** |  |  |
|  | x | x |  |  |
|  | x | x |  |  |
| Drawing up of an appellate complaint |  | x | x | **65** |  |  |
| Drawing up of a cassation complaint |  | x | x | **80** |  |  |
| Drawing up of a document necessary for settling a case for which the content requirements are laid down in laws and regulations and for the preparation of which legal knowledge is necessary (for example, opinion or explanations (except for a document for requesting information and the documents referred to in Sub-paragraphs 9.2, 9.3, and 9.4 of this Regulation)) |  | x | x | **25** |  |  |
|  | x | x |  |  |
|  | x | x |  |  |  |
| Drawing up an addendum to a statement of claim, an application for the commencement of court proceedings, a creditors claim in insolvency proceedings, a counterclaim, an ancillary complaint, a settlement, an appellate or cassation complaint |  | x | x | **25** |  |  |
| Representation at a court hearing3 |  |  |  | **40** |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Studying of the materials of a matter in a court4 |  | x | x | **20** |  |  |
| Notes.  1 If, upon an appointment by the Legal Aid Administration, the legal consultation in a civil case, administrative case, cross-border dispute case, or in an administrative case has been provided in the place of residence or location of the recipient of legal aid in the cases and according to the procedures laid down in the Asylum Law and the Immigration Law, payment shall be determined at a double hourly rate (Paragraph 13 of Cabinet Regulation No. 1493 of 22 December 2009, Regulations Regarding the Amount of State-Ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof (hereinafter – the Cabinet Regulation)).  2 If the recipient of legal aid fails to attend or notify of non-attendance in a timely manner, payment shall be determined as for maximum one hour of legal consultation in the amount of 50 % (Paragraph 19 of the Cabinet Regulation).  3 For the representation of two or more persons at a court hearing in one civil case, administrative case or cross-border dispute case, payment shall be determined in the amount of 65 % of payment for the representation of one person at a court hearing (Paragraph 17 of the Cabinet Regulation).  4 For examining one volume of materials of a civil or administrative case in court if two or more persons are represented in one civil case, administrative case or cross-border dispute case, payment for each person shall be determined in the amount of 65 % of payment for examining one volume of materials of a civil, administrative or cross-border dispute case in court within the scope of one court instance (Paragraph 17.1 of the Cabinet Regulation).  5 VAT rate according to the Value Added Tax Law. | | | | | **Total (exclusive of VAT)** |  |
| **VAT 5** |  |
| **Total amount (1)** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Details of the certifier of the notice** | | | |
| **name of the court/institution** | **given name, surname, and position of the certifier of the notice** | **telephone number** | **signature** |
|  |  |  |  |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Travelling (transport) expenses and hotel (accommodation) expenses according to documents certifying expenses (receipts, checks, original tickets)** | **Date** | **Route** | | **Distance travelled (km)6** | | **Fuel consumption (l)** | **Price**  **(1 litre)** | **Amount (EUR)** |
| **from** | **to** |
| Make, model and year of the personal vehicle |  |  |  |  | |  |  |  |
| Public transport |  |  |  | x | | x | x |  |
| Hotel (accommodation) |  | x | x | x | | x | x |  |
| Time spent on the road | x |  |  |  | | x | x |  |
| Note.  6 To be completed in accordance with Annex 3 to the Cabinet Regulation or in accordance with the control device (measuring device) installed in the vehicle for measuring the number of kilometres travelled if the legal aid is provided outside of the place of practice of the provider of legal aid (Paragraphs 48 and 49 of the Cabinet Regulation). | | | | | **Total amount (2)** | | |  |
| **Total amount payable (1 + 2)** | | |  |

|  |
| --- |
| **Title of the document, institution or official to which the document has been submitted or is to be submitted** |
|  |
|  |
| **Assessment of the case/matter of the provider of legal aid:**  **Information regarding the legal aid provided and amount of legal aid necessary in future** |
|  |
|  |
|  |

|  |
| --- |
| **Assessment of the case, including the analysis of specific facts and legal opinion on the further development of the case** |
|  |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Appended** | | | |
| (receipts, cheques, original tickets or copies of drawn-up procedural documents) | | | |
|  | | | |
|  | **Date** | **Signature of the recipient of legal aid** | **Signature of the provider of legal aid** |
|  |  |  |  |

**Annex 2**

Cabinet Regulation No. 1493

22 December 2009

[*11 December 2018*]

**Notice On the Provision of State-Ensured Legal Aid in Criminal Proceedings**

(form shall be completed in capital letters)

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Case number** | | | | | | | | | | | **Details of the provider of legal aid** | | | | | | | | | | | | | | |
|  |  |  |  |  |  |  |  |  |  |  | **given name, surname** | **personal identity number** | | | | | | | | | | | | **address of the place of practice** | **telephone, e-mail** |
|  | | | | | | | | | | |  |  |  |  |  |  |  | **–** |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Details of the provider of legal aid and credit institution details**1 | | | | | | | | | | | | | | | | | | | | | | | | |
| **recipient of the payment**  (given name, surname or name of office) | **registration number** | **VAT payer number** | **name of the credit institution** | **account number** | | | | | | | | | | | | | | | | | | | | |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

Note. 1 To be completed if the notice is submitted to the Legal Aid Administration for the first time or if the details previously submitted to the Legal Aid Administration have changed.

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Details of the recipient of legal aid** | | | | | | | | | | | | | | |
| **given name, surname** | **personal identity number** | | | | | | | | | | | | **procedural status, procedure**  (mark as appropriate) | **justification of the invitation**  (mark as appropriate) |
| 1. |  |  |  |  |  |  | – |  |  |  |  |  | □victim  □representative of the victim | **Criminal Procedure Law**  □ Section 80, □ 83, □ 104, □ 108  date of appointment□□.□□.□□□□.  □ Section 81, □ 83, □ 104, □ 108  date of duty□□.□□.□□□□. |
| 2. |  |  |  |  |  |  | – |  |  |  |  |  | □person against whom criminal proceedings have been commenced  □detainee□suspect  □accused person□convicted person |
| 3. |  |  |  |  |  |  | – |  |  |  |  |  | □European arrest warrant  □other (for example, processes for the application of compulsory measures of medical or correctional nature) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Type of legal aid** | **Date** | **Time** | | **Payment (EUR)**  (hour/volume/procedural document/  legal counsel) | **Amount**  (number of hours/volumes of procedural documents) | **Amount (EUR)** |
| from \_\_ | until \_\_\_\_\_\_ oʼclock |
| Drawing up of a written application for for the compensation of harm to the victim |  | x | x | **50** |  |  |
| Drawing up of a written complaint regarding actions or decisions of the official conducting the criminal proceedings, and application (change or revocation) of a procedural compulsory measure |  | x | x | **50** |  |  |
|  | x | x |  |  |
|  | x | x |  |  |
| Drawing up of a document required for the trial of the case in the written procedure (objection or explanation) |  | x | x | **25** |  |  |
| Drawing up of an appellate complaint |  | x | x | **85** |  |  |
| Drawing up of a cassation complaint |  | x | x | **100** |  |  |
| Drawing up of an addendum to a written complaint regarding actions or decisions of the official conducting the criminal proceedings or a ruling or and application (change or revocation) of a procedural compulsory measure, or to an appellate complaint or cassation complaint |  | x | x | **25** |  |  |
| Legal consultation if no grounds for drawing up a document (document needed for the trial of the case in the written procedure (objection or explanation), appellate or cassation complaint) have been established4 |  | x | x | **20** |  |  |
| Representation or defence in pre-trial proceedings2 |  |  |  | **30** |  |  |
|  |  |  |  |  |
| Legal consultation in connection with the relevant procedural action3, 4 |  | x | x | **20** |  |  |
|  | x | x |  |  |
| Representation or defence at a court hearing5 |  |  |  | **40** |  |  |
|  |  |  |  |  |
| Legal consultation in connection with the relevant court hearing3, 4 |  | x | x | **20** |  |  |
|  | x | x |  |  |
| Provision of legal aid to a suspect or accused person at a court hearing when deciding on the matter of applying a security measure2 |  |  |  | **30** |  |  |
| Legal consultation in connection with the relevant court hearing3, 4 |  | x | x | **20** |  |  |
| Examining one volume of materials of a criminal case in court within the scope of one court instance (including, when deciding on the matter of applying a security measure in court)6 |  | x | x | **20** |  |  |
|  | **Total (exclusive of VAT)** | | | | |  |
| **VAT 7** | | | | |  |
| **Total amount (1)** | | | | |  |

Notes.

2 Legal aid on Saturdays, Sundays, holidays, working days between 8 p.m. and 8 a.m. – payment at a double hourly rate (Paragraph 32 of the Cabinet Regulation No. 1493 of 22 December 2009, Regulations Regarding the Amount of State-Ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof (hereinafter – the Cabinet Regulation)).

3 Legal consultation in connection with the relevant procedural action in which representation or defence must be provided according to the Criminal Procedure Law, or with the court hearing.

4 Legal consultation provided on Saturdays, Sundays, public holidays working days between 8 p.m. and 8 a.m. – payment at a double hourly rate (Paragraph 32 of the Cabinet Regulation). Legal consultation at a deprivation of liberty institution – payment at a double hourly rate (Paragraph 29.1 and 30 of the Cabinet Regulation) without applying Paragraph 32 of the Cabinet Regulation.

5 For defence or representation of two or more persons at a court hearing in one criminal proceeding, payment shall be determined in the amount of 65 % of the payment for defending one person at a court hearing (Paragraph 31 of the Cabinet Regulation).

6 For examining one volume of materials of a criminal case in court if two or more persons are defended or represented within the scope of one criminal proceeding (including when deciding the matter of applying a security measure in court), payment for each person defended or represented shall be determined in the amount of 65 % of the payment for examining one volume of materials of a criminal case in court within the scope of one court instance (Paragraph 31.1 of Cabinet Regulation).

7 VAT rate according to the Value Added Tax Law.

|  |  |  |
| --- | --- | --- |
| **Date** | **Signature of the recipient of legal aid** |  |
|  |  |  |
|  |  |  |
|  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Details of the certifier of the notice** | | | |
| **name of the institution** | **person directing the proceedings or person responsible for the receipt of documents in the addressee institution** (given name, surname. and position) | **telephone number** | **signature** |
|  |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **The elder of the sworn advocates who organises the work of providers of legal aid practising in the relevant court operation territory and draws up their duty schedule** | | | | |
| **court operation territory** | **given name, surname** | **telephone number** | **date of approval** | **signature** |
|  |  |  |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Travelling (transport) expenses and hotel (accommodation) expenses according to documents certifying expenses** (receipts, cheques, original tickets) | **Date** | **Route** | | **Distance travelled (km)8** | **Fuel consumption (l)** | **Price**  **(1 litre)** | **Amount (EUR)** |
| **from** | **to** |
| Make, model and year of the personal vehicle |  |  |  |  |  |  |  |
| Public transport |  |  |  | x | x | x |  |
| Hotel (accommodation) |  | x | x | x | x | x |  |
| Time spent on the road | x |  |  |  | x | x |  |
|  | **Total amount (2)** | | | | | |  |
| **Total amount payable (1 + 2)** | | | | | |  |

Note. 8 To be completed in accordance with Annex 3 to the Cabinet Regulation or in accordance with the readings of the control device (measuring device) installed in the vehicle for measuring the number of kilometres travelled if the legal aid is provided outside of the place of practice of the provider of legal aid (Paragraphs 48 and 49 of the Cabinet Regulation).

Appended

|  |
| --- |
|  |
| (receipts, checks, original tickets or copies of drawn-up procedural documents) |
|  |

|  |  |  |
| --- | --- | --- |
|  | **Date** | **Signature of the provider of legal aid** |
|  |  |  |

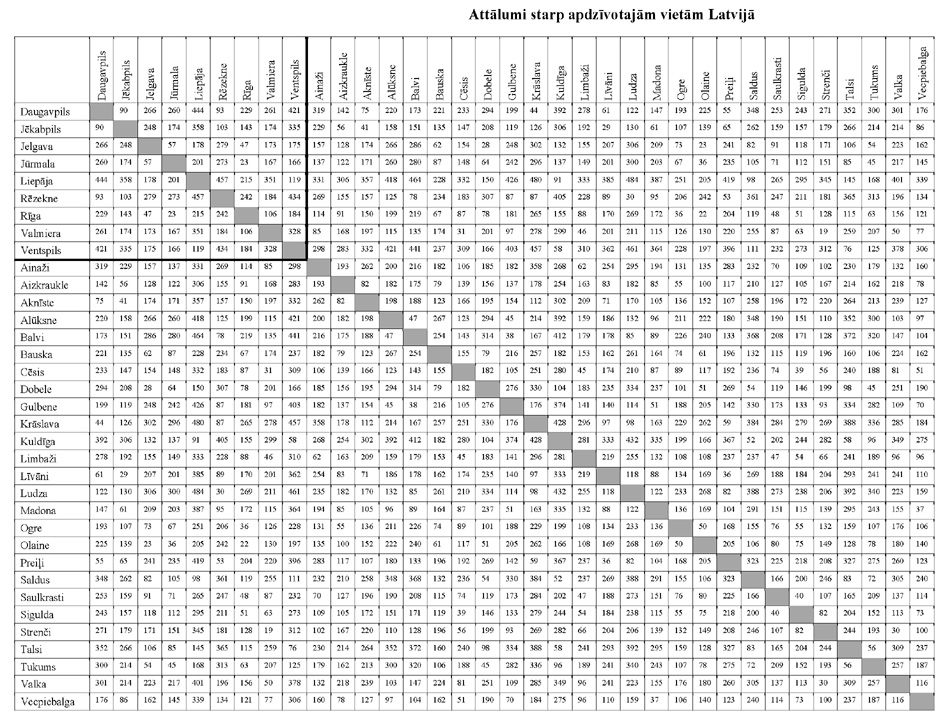
**In the wording submitted by the Ministry of Justice**

**Annex 3**

Cabinet Regulation No. 1493

22 December 2009

**Distances between Populated Areas in Latvia**

[](https://likumi.lv/wwwraksti/2009/205/BILDES/1493/N1493-PIEL_3.DOC)

Minister for Justice M. Segliņš

**Annex 4**

Cabinet Regulation No. 1493

22 December 2009

[*11 December 2018*]

**Notice On Provision of State-Ensured Legal Aid in Constitutional Court Proceedings**

(Form shall be completed in capital letters)

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Submitted in accordance with** |  | **.** |  | **.** | **2** | **0** |  | **.** | **Number of the appointment or decision of the Legal Aid Administration** |  |  |  |  |  |  |  |  |  |  |  |
|  | (dd/mm/yyyy) | | | | | | | |  |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Given name, surname of the provider of legal aid** |  | | | | | | | | | | | | | |
| **Given name, surname of the recipient of legal aid** | **Personal identity number** (if no personal identity number is available, indicate the date of birth) | | | | | | | | | | | | **Place of residence/location** | **Telephone number (if any)** |
|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Number of the Constitutional Court case and subject of the dispute** |  |  |  |  | – |  |  | – |  |  |  |  |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Type of legal aid** | **Date** | **Time** | | **Payment (EUR)**  (hour/volume/  procedural document1, 2) | **Amount**  (number of hours/procedural documents/volumes) | **Amount (EUR)** |
| **from \_\_** | **until \_\_\_\_\_\_ oʼclock** |
| Legal consultation1 |  |  |  | **40** |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Examination of the initial application and materials (for example, case law, materials of international organisations) and preparation of an opinion that legal aid is unnecessary |  | x | x | **140** |  |  |
| Compilation of a constitutional complaint (application), including examination of the initial application and materials (e.g. case law, materials of international organisations)2 |  | x | x | **400** |  |  |
| Drawing up of addenda to a constitutional complaint (application)3 |  | x | x | **80** |  |  |
| Preparation of an opinion in the written procedure4 |  | x | x | **200** |  |  |
| Provision of legal aid at a court hearing5 |  |  |  | **80** |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| Examining a volume of case materials in a court |  | x | x | **40** |  |  |
| Notes.  1 Maximum of five hours per case in accordance with Paragraph 8.2 of Cabinet Regulation No. 1493 of 22 December 2009, Regulations Regarding the Amount of State-Ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment Thereof (hereinafter – the Cabinet Regulation).  2, 3, 4 No more than three procedural documents.  5 Maximum of 40 hours per case in accordance with Paragraph 8.4 of the Cabinet Regulation.  6 VAT rate according to the Value Added Tax Law. | | | | | **Total (exclusive of VAT)** |  |
| **VAT 6** |  |
| **Total amount (1)** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Details of the certifier of the notice** | | | |
| **Name of the court/institution** | **Given name, surname and position of the certifier of the notice** | **Phone** | **Signature** |
|  |  |  |  |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Travelling (transport) expenses and hotel (accommodation) expenses according to documents certifying expenses** (receipts, cheques, original tickets) | **Date** | **Route** | | **Distance travelled (km)7** | | **Fuel consumption (l)** | **Price**  **(1 litre)** | **Amount (EUR)** |
| **from** | **to** |
| Make, model and year of the personal vehicle |  |  |  |  | |  |  |  |
| Public transport |  |  |  | x | | x | x |  |
| Hotel (accommodation) |  | x | x | x | | x | x |  |
| Time spent on the road | x |  |  |  | | x | x |  |
| Note.  7 Complete in accordance with Annex 3 to the Cabinet Regulation or in accordance with the control device (measuring device) installed in the vehicle for measuring the number of kilometres travelled if the legal aid is provided outside of the place of practice of the provider of legal aid (Paragraphs 48, 49 and 55.2 of the Cabinet Regulation). | | | | | **Total amount (2)** | | |  |
| **Total amount payable (1 + 2)** | | |  |

**Title of the document, institution or official to which the document has been submitted or is to be submitted**

|  |
| --- |
|  |
|  |
|  |
|  |

**Assessment of the matter/issue of the provider of legal aid**

**Information regarding the legal aid provided and amount of the legal aid necessary in future**

|  |
| --- |
|  |
|  |
|  |
|  |

**Assessment of the matter, including the analysis of specific facts and legal assessment on the further development of the matter**

|  |
| --- |
|  |
|  |
|  |
|  |

**Appended**

|  |
| --- |
|  |
| (receipts, cheques, original tickets or copies of procedural documents) |
|  |
|  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Date** | **Signature of the recipient of legal aid** | **Signature of the provider of legal aid** |
|  |  |  |  |