

Second Study Commission

Civil Law and Procedure

66th Annual Meeting of the IAJ – Cape Town (South Africa)

Questionnaire 2024

Written submissions – when do they turn from a help to a hindrance?

Latvia's answers are as follows:

- 1. Are there limits for written submissions in civil litigations in your jurisdiction in terms of the maximum length?**

No, there are no such limits.

- 2. Are there time limits for filing written submissions?**

The judge sets the deadline for submitting a written explanation to be 15-30 days from the date of sending the claim, but in cases involving a child, no longer than 15 days from the date of sending the claim.

- 3. Are there limits in terms of a maximum number of additional submissions in a case?**

No, there are no such limits.

- 4. Are there rules, including penalties or cost implications, for breaches of these requirements?**

If the party to the case does not submit an explanation within the deadline set by the judge, and does not respond to the judge's request, the judge can impose a fine of up to 150 euros.

- 5. Are these limits or requirements effective in terms of reducing the number and length of written submission and the time spent preparing for and determining a case?**

Partially. The notification of the imposition of a penalty in case of non-fulfillment of procedural obligations disciplines the participants in the case, but it does not work in all cases.

- 6. What is the effect of written submissions on any hearing which subsequently takes place?**

Each submission affects the consideration of the merits of the case. Submissions expressed in writing, if they are based on the law, facts, and evidence, are only beneficial to the one who expresses them, allow the court to prepare for the hearing comprehensively and qualitatively examine the case on its merits.

7. Comments or suggestions as to what could otherwise prove to be effective.

Limiting the length of the explanations could force the parties to focus more on the circumstances of the case rather than citing laws and jurisprudence.