

Second Study Commission
Civil Law and Procedure

65th Annual Reunion of the IAJ – Tel Aviv, Israel

Questionnaire 2022

LATVIA'S RESPONSE

VIRTUAL TRIALS IN CIVIL PROCEEDINGS

1. Did your jurisdiction offer complete or partial virtual civil trials or hearings before the Pandemic? If yes, please describe what was offered and how often the offer was exercised.

Before the pandemic, Latvian courts used videoconferencing in cross-border cases and specific cases when a party of the case (or witness) cannot appear in court, for example, was in a treatment facility or lived far from the courthouse where the proceedings are taking place.

As a result of the modernization of the courts, video conferences were introduced in courts in 2012. Currently, 130 out of 319 first and appellate courtrooms are equipped with video conferencing equipment.

According to statistics, in 2018, the first instance courts examined 503 cases by video conference, and in 2019, 319 cases.

2. Did your jurisdiction offer civil virtual trials or hearings during the Pandemic? If yes, was there a change in how, what and when it was offered? Were protocols published? Also, if yes, when were the virtual trials/hearings offered and what was the uptake?

During the pandemic, in parallel with the video conference system, the Court Administration provided courts with Microsoft Teams software to manage hearings remotely.

In 2021, the Court Administration has improved the video conferencing infrastructure to ensure the remote judicial process, providing the opportunity to conduct court hearings remotely, including using the Court Administration platform Cisco Meeting server or Microsoft Teams solution, thus expanding the possibilities of organizing court proceedings remotely.

Microsoft Team software provides a recording of court sessions. Each court session is recorded, and the audio protocol then is added to the Court Information System and is available to the participant of the case.

The number of court sessions held on the Microsoft Teams platform is currently not specifically counted and appears in the statistics in the total number of face-to-face court sessions.

3. Presuming that civil virtual trials were offered, was there any improvements made in the technology/software that the government provided? How were documents and exhibits managed?

Documents received by post are scanned by court staff. Both electronically received and scanned documents are added by court staff to the particular case registered in the Court Information System and become available to the participants of this case.

In addition, if the person wishes, the documents are sent to him or her electronically.

4. What does the future hold in your jurisdiction with respect to the continuation of virtual trials? What are the issues and or benefits that have arisen?

Remote hearing is one of the ways of hearing civil cases.

One of the benefits - to save the time and resources of the litigants and court. Remote hearing is possible to use, especially if the parties to the case agree or request it.

5. Has or is research being done in your jurisdiction to help ameliorate some of the concerns that have arisen with virtual trials?

No, such studies are not conducted.

6. How did the digitally excluded people in your jurisdictions have access to justice and specifically to virtual trials during the Pandemic?

If an open court session was planned remotely, then journalists and listeners who had applied to the public relations specialist of the Court Administration or the secretary of court sessions to participate in the particular court session received information about the possibility of observing the court session remotely. The court staff sent them a connection link.

Journalists had the opportunity to receive an audio recording of the open court session.