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**Civil Procedure Law**

**Section 56.** **Delivery and Service of a Summons and Other Judicial Documents**

(1) A summons shall be sent by registered mail, by registered mail with notification of receipt, by electronic mail, or it shall be delivered by a messenger.

(2) Other documents prepared by a court (judgments, decisions, notifications, etc.), as well as documents (an application in accordance with special adjudication procedures, appeal, cassation complaint, true copies of written explanations, etc.) which are prepared and submitted to a court by the participants in a matter, but which are further served by a court upon the request of a participant in the matter or upon discretion of the court may be delivered in one of the ways referred to in Paragraph one of this Section or sent by ordinary mail.

(3) Judicial documents may be served to an addressee in person upon signature, if necessary, by summoning the addressee by a summons to arrive to a court in order to receive the documents to be served.

(4) A participant in a matter may, with the consent of a judge, receive judicial documents for delivery to another addressee in the matter.

(5) Judicial documents shall be delivered to a natural person according to the address of the declared place of residence, but in cases when additional address is indicated in the declaration – according to the additional address, unless the natural person has not indicated his or her address to the court for correspondence with the court shall be carried out. The natural person has a duty to be reachable at the address of his or her declared place of residence, at the additional address indicated in the declaration or at the address indicated by such person for correspondence with the court. If the defendant does not have an address of declared place of residence and he or she has not indicated his or her address for correspondence with the court, the judicial documents shall be delivered according to the address indicated by the participant of the matter in accordance with Section 54.1, Paragraph one of this Law. The judicial documents may also be delivered to the workplace of the person.

(51) In executing a request of a foreign country for service of documents (Sections 662, 672 and 681), documents shall be delivered to the addressee according to the address indicated in the request, but if the addressee is not reachable at such address, they may be delivered in accordance with the procedures laid down in this Section.

(6) Judicial documents shall be delivered to a legal person according to the legal address thereof.

(61) Judicial documents shall be delivered by electronic mail, if a participant in the matter has notified the court that he or she agrees to use electronic mail for correspondence with the court. In such case judicial documents shall be sent to the electronic mail address indicated by the participant in the matter. If the court determines technical obstacles for delivery of judicial documents by electronic mail, they shall be delivered by other method referred to in Paragraph one of this Section.

(7) Judicial documents delivered by a messenger or a participant in the matter shall be served to the addressee in person upon signature, by indicating the time and date of service of the document in the signature part and returning the signature part to the court.

(8) If the person serving the judicial documents does not meet the addressee, he or she shall serve the judicial documents to any adult family member residing with such person. If the person serving the judicial documents does not meet the addressee at his or her workplace, he or she shall leave the documents to be served with the workplace administration for them to be given to the addressee. In the referred-to cases the recipient of the judicial documents shall set out his or her given name and surname, the time and date of service of the document in the signature part, as well as indicate his or her relationship to the addressee or his or her work position, and the judicial documents shall be given to the addressee without delay.

(9) If the addressee of the judicial documents is not reachable, the person serving the judicial documents shall make an appropriate note in the signature part of the document. The person serving the judicial documents shall also indicate in this part of the document the place to which the addressee has gone, and the time when the addressee is expected to return, if he or she has ascertained this.

(10) In respect of certain judicial documents the law may provide for certain types of delivery or service thereof.

*[5 February 2009; 8 September 2011; 29 November 2012]*

**Section 56.1** **Date of Delivery and Service of Judicial Documents**

(1) If judicial documents have been delivered in accordance with the procedures laid down in Section 56 of this Law, except the case provided for in Paragraph nine thereof, it shall be considered that a person has been notified regarding the time and place of a court sitting or procedural action or regarding the content of the relevant document and that the judicial documents have been served:

1) on the date when the addressee or another person has accepted them in accordance with Section 56, Paragraph three, seven or eight of this Law;

2) on the date when the person has refused to accept them (Section 57);

3) on the seventh day from the day of sending, if the documents have been sent by mail; or

4) on the third day from the day of sending, if the documents have been sent by electronic mail.

(2) The fact *per se* that judicial documents have been delivered according to the address of the declared place of residence of a natural person, according to the additional address indicated in the declaration, according to the address indicated by the natural person for correspondence with the court or the legal address of a legal person and a statement is received from the post office regarding delivery of the postal item or documents are returned shall not affect the fact that the documents have been notified. The addressee may refute the presumption that documents have been issued on the seventh day from the day of sending if documents have been sent as a postal item, or on the third day from the day of sending if documents have been sent as an electronic mail item, indicating to objective circumstances which have served as an obstacle for the receipt of the documents according to the address indicated by him or her regardless of his or her will.

*[5 February 2009; 8 September 2011; 29 November 2012]*

**Section 56.2** **Delivery and Service of Judicial Documents to a Person whose Place of Residence or Location is not in Latvia**

(1) Judicial documents shall be delivered in the following ways to a person whose place of residence, location or legal address is not in Latvia and whose address is known:

1) in accordance with the procedures provided for in Regulation (EC) No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) No 1348/2000 (hereinafter – Regulation No 1393/2007 of the European Parliament and of the Council) (Chapter 81);

2) in accordance with the procedures provided for in Article 13 of **Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure (hereinafter – European Parliament and Council Regulation No 861/2007);**

3) in accordance with the procedures provided for in international agreements (Chapter 82) binding on Latvia; or

4) in accordance with the procedures provided for in Chapter 83 of this Law.

(2) If judicial documents have been delivered to a person in accordance with the procedures laid down in Paragraph one of this Section, it shall be considered that the person has been notified regarding the time and place of procedural action or regarding the content of the relevant document only in such case, if the confirmation regarding service of the document has been received. Documents shall be considered as served on the date indicated in the confirmation regarding service of documents.

(21) If judicial documents have been delivered to a person in accordance with the procedures laid down in Paragraph one of this Section and a confirmation regarding non-delivery thereof has been received, the court shall consider the reasons for non-delivery of the documents and determine the impact of non-delivery of the documents on court proceedings in accordance with the provisions of this Law. After considering the reasons for non-delivery of the documents the court may perform repeat delivery of the documents or use another method for the issuance of documents. If repeat issuance of documents is unsuccessful, Section 59 of this Law shall be applied.

(3) This Section shall not be applied, if a person whose place of residence, location or legal address is not in Latvia conducts a matter through the mediation of a representative authorised in Latvia. In such case judicial documents shall be served only to the representative according to general procedure.

*[5 February 2009; 29 November 2012]*