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# Hearing children in family proceedings: Latvia

## 1. General Obligation to hear children

In Art. 20(2), the Latvian Children's Rights Protection Law provides the child with the opportunity to be heard in any court or administrative procedure connected with the child, either directly or through his or her own legal representative or institution (CRIN, 2015, p. 13).

Pursuant to the Civil Procedure Law, the opinion of the children shall be heard in matters which affect them (Latvian State Report, 2014, p. 41).

## 2. Minimum age

The opinion of the child will be heard if they can formulate it (Latvian State Report, 2014, p. 41). No reference to age limits could be found.

## 3. Who hears the child?

The Court requests the Orphan's Court (Social Service) to report on the child's opinion in return proceedings. The Orphan's Court, taking the child's age and maturity into account, uses appropriate measures to hear the child's opinion – either they hear the child themselves or they use the report of a psychologist (Country Profile, 2011).

## 4. Specific rules for hearing children in child abduction cases?

- Hearing the child in return proceedings is at the discretion of the judge, on the basis of the child's age and maturity (Country Profile, 2011).
- It is not possible to appoint a guardian ad litem (Country Profile, 2011).

## 5. Cross-border element (i.e. hearing a child who is abroad in second-chance procedure Brussels IIbis?)

Latvia has good video conferencing facilities, but this technology has not yet been used in civil proceedings (Beaumont et al., 2016, p. 37).



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## 6. Other relevant matters

- Latvia is renowned for issuing non-return orders (Beaumont et al., 2016, p. 15).
- Since March 2015, they moved to concentrated jurisdiction (around 12 judges) responsible for hearing child abduction cases (Beaumont et al., 2016, p. 15).

## 7. Legal sources on hearing the child

- Children's Rights Protection Law, Art. 20(2)
- Civil Procedures Law, Chapter 772

## 8. Sources in literature

- [Beaumont et al.](#), 2016
- [CRIN](#), 2015
- [Hague Convention Country Profile](#) section 10.4 (last updated May 2011)
- [Latvian State Report to the UNCRC](#), 2014
- Contact person for Latvia: Agris Skudra