



Latvia

## Keeping and searching for a will

### → What are the principal forms of will in Latvia?

- \* the **authentic will**, drawn up by a civil law notary, by an Orphan's court or by consular department in Embassies abroad.
- \* the **holographic will**, written by the testator himself (by handwriting and signing own will).

According to the amendments of the Civil law, private will is excluded from the scope of the law. The amendments of the law will come into force on the 1st of July, 2014.

### → Does a register of wills exist in Latvia?

**Yes**, In Latvia, the Register of Public Wills (hereinafter – the Register) has been introduced on the 1st of May, 2014, its operation and provision of information from it is provided by the Council of Sworn Notaries of Latvia. Information to the Register is provided by sworn notaries, custody courts and courts. The Register simplifies finding of the last will of a testator (will, inheritance contract) and helps the handling of succession matters. The Register incorporates all the documents relevant to the last will – its withdrawal, amendments, supplements or its cancellation.

#### **N.B.**

These questions and answers constitute a general source of information, up to date as of September 1, 2016. In the event of a particular difficulty, consult a civil law notary. Practical sheet realized by ENRWA with the participation of the European Commission and of the Notaries of Europe.





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Starting from the 1st of May 2015, the Register will be electronically accessible and one will be able to find data about last wills, certified by or deposited with the notaries since the 1st of September, 1993.

### I. Keeping a will

#### → Why file a will?

It is not mandatory to file a will with the notary or with the Orphan's court, unless it is an authentic will (for example, a holographic will can validly be kept at home).

However, **a will which is not found is deemed to be a non-existent will.** This is why **it is recommended that the will is filed with a civil law notary or with the Orphan's court.** The testator shall thus facilitate the search for his last wishes upon his death. These wishes, once found, may then be respected.

Moreover, although it is possible to draw up a will oneself, the assistance of a civil law notary is particularly valuable since he is a specialist in the matter. His advice shall thus enable to draw up a will which respects the law and which therefore does not run the risk of being declared null and void.

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→ Where is the will kept?

Wills are kept in the place where they are drawn up or filed (notary's office or with the Orphan's courts). The filing of a will is evidenced by an official document. Wills, certified by a notary, are registered in the Register of Public Wills.

## II. The search for the wills

→ How does one find the wills of family members?

If the will is certified by a notary, upon opening a succession case, a notary will be able to find it in the Register of Public Wills.

Private (holographic) wills are not registered, they can come into force if an heir hands it in, during the course of a succession case.

The heirs must carry out their search in the home of the deceased, with the bank, etc.

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