

Activities of Lithuanian Courts During Covid-19 Pandemic

Dr. Vigita Vėbraitė, Associate professor, Vilnius University Faculty of Law, email: vigita.vebraite@tf.vu.lt

Date 21 April 2020

Courts in Lithuania haven been quite modernised till the pandemic, especially courts, which hear civil cases. Already in year 2004 a unified information system of Lithuanian courts LITEKO was launched. This system is being modernised all the time.

From 1 March 2013, Article 175 (2) of the Code of Civil Procedure came into force and legitimised the use of information and communication technologies (video-conferences, teleconferencing, etc.) during court hearings. It can be mentioned that this has not been often used for civil cases till the pandemic.

In Lithuania there has been no special legislation no court proceedings regarding Covid-19 pandemic. It is believed that legal norms of Code of Civil Procedure (concerning possibilities to hear cases via technological means) is enough to apply them also nowadays.

In Lithuania courts strive to become digital and online as much as possible in terms of weeks. It is planned to finish setting up hardware and software to enable all judges work from their homes and be connected to litigants at least for documents' exchange and written proceedings. Possibilities of online videoconferencing for replacement of oral proceedings is also on the table. Almost all cases, which can be heard in written procedure, have been finished in time (especially in appeal and cassation instances). Most of civil cases, which had to be heard orally and it is not possible to use written procedure, have been adjourned to May or June. At this moment quarantine has been introduced in Lithuanian till the 11th of May.

Only cases concerning child rights are heard according to schedule and usually by the means of technologies. If in urgent cases oral hearing is inevitable, it is organized in the manner and time prescribed, taking all precautionary measures relating to the prevention of the spread of Covid-19, while maintaining a maximum distance between the participants in the courtroom.

Mediation can be also organised online, but till now only several mediation cases have been conducted online. Enforcement procedure and communication between bailiffs and courts have been conducted already for several years.

The situation is much more problematic with criminal cases. Most of them are adjourned and will be heard after quarantine. Amendments of Code of Criminal Procedure have been presented before Easter to use technological means also for criminal cases. Till now it has been only possible to hear witness or expert via video-conferences in criminal cases.