

**INTERNATIONAL ASSOCIATION OF JUDGES
2nd STUDY COMMISSION**

How data protection rules are impacting on the way judges work in civil litigation?

Responses to the 2023 questionnaire on behalf of the Latvian delegation

1. In your jurisdiction is a court considered to be a data controller for data protection law purposes in all, or any, of the following situations:

a. When performing its judicial functions?

No.

b. For purposes connected with the administration of justice, including the publication of a judgment or court decision, or a list or schedule of proceedings or of hearings in proceedings?

No.

c. For purposes connected with the efficient management and operation of the courts and for statistical purposes?

No.

The Court Administration is the data controller for information necessary for judicial work. This limited access information stores in the Judicial Information System.

2. In your jurisdiction does a data subject (e.g. a party to litigation, a witness, or a party whose interests may be affected by the litigation) have a right to information regarding the processing of their personal data by or on behalf of the courts?

Data subject can submit a data subject request to the Court Administration to find out information about the processing of personal data.

3. In your jurisdiction does a data subject whose personal data is published in a court document such as a judgment, have the right to seek rectification of allegedly inaccurate or inappropriately disclosed personal data?

According to the Civil Procedure Law the court may, upon its own initiative or upon an application of a participant in the case, correct clerical and mathematical calculation errors in the judgment.

4. In your jurisdiction is personal data contained in a judgment or decision of a court, or in a list or schedule of proceedings or hearings, generally made accessible to the public? If so, are there exceptions and what are they? If not, is there a redaction requirement, or alternative requirement, to be implemented before a judgment / list /schedule can be published so as to safeguard the rights of data subjects?

The Judicial Information System contains information of limited availability and personal data.

However, any person can use the publicly available part of the Judicial Information System and are acquainted with the lists of courts sessions, progress of their legal proceedings, anonymized court judgements or decisions and progress data of other legal proceedings without information about the participants in the case.

5. How are complaints addressed in your jurisdiction concerning alleged breaches by the courts of the rights of data subjects? Does your jurisdiction have a person or body with special responsibility for the supervision of data processing operations of courts when acting in their judicial capacity?

Data subjects have rights to submit a complaint to the Court Administration (data controller) as well as to submit a complaint to the national data supervisory authority, i.e. the Data State Inspectorate.

Within our jurisdiction, we do not have a person or body with special responsibility for the supervision of data processing operations of courts when acting in their judicial capacity. However, as the Judicial Information System is under the control of the Court Administration, so it is a one to complain. The Court Administration's Operational Risk Manager and Data Protection Officer evaluates the complaint and provides recommendations to report a data protection violation to the Data State Inspectorate.

6. In your experience have data protection rules impacted adversely on your judicial independence? If so, how have they done so?

Every person has the right to trust that their personal data will be use in good faith and for the intended purpose, therefore data protection rules would not be affect to the judicial independence.