



Lithuania

e-manual appendix





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What is enforced

The following are subject to legal enforcement procedures by a judicial officer in the Republic of Lithuania:

Court judgements, sentences, rulings and decrees, as well as enforcement orders issued on the basis of arbitration decisions and orders; court orders and resolutions of institutions and officials regarding application of interim measures; court judgements regarding restriction of legal entity activities and legal entity liquidation; resolutions of institutions and officials in proceedings relating to administrative law violations to the extent they relate to the exaction of possessions; prosecutor's sanctions regarding eviction of natural persons from residential premises and other orders of the prosecutor to the extent they relate to the exaction of possessions; notarial executive records according to protested or unprotested bills of exchange or checks and notarial enforcement orders regarding the drawing up of an inventory of inherited property (supplementation of the inventory of inherited property); resolutions of the Labour Disputes Commission; resolutions of institutions examining consumer disputes; and resolutions of other institutions and officials whose enforcement in civil proceedings is determined by law.

Who enforces

According to the [Republic of Lithuania Law on Judicial Officers](#), judicial officers are authorised by the State to carry out the abovementioned functions, related to legal enforcement of various court rulings, decrees etc.

Plaintiff, who may be a natural person, legal person or a public body of the State, who seeks to recover the debt from their debtor, can request the judicial officer to initiate applicable enforcement procedures.

Enforcement procedure

If a person does not pay his/her debt or does not fulfil other obligations, by request of the plaintiff, the judicial officer may commence enforcement using enforcement measures permitted by the state.

Enforcement orders issued to judicial officers on the basis of court judgements may be submitted for execution within 5 years from the date of entry into force of the judgement. The time limits within which the decisions of other officials or institutions may be submitted for enforcement, shall be determined by law. If periodic payments are recovered on the basis of the judgement of the court, enforceable titles shall be valid for the whole period of such payments.

Upon receipt of an enforceable title submitted for enforcement, a judicial officer shall check within three business days (or immediately, in

cases of urgent enforcement) whether there are no obvious obstacles to accept the enforceable title and commence enforcement. If there are obstacles preventing the acceptance of an enforceable title for enforcement (for example, when enforceable titles are submitted by persons who are not entitled to do so), the judicial officer shall refuse by decree to accept the said title and shall return it to the person who submitted it, by stating the reasons for the return. If there are no obstacles, the judicial officer shall accept by decree the enforceable title and commence its enforcement.

It is first necessary to collect information from official electronic registers on the basis of which specific measures are selected and applied. If the debt exceeds EUR 100 and if it did not result from breach of administrative law, the judicial officer shall submit a notice to the debtor urging him/her to pay the debt and its administration costs within 10 days. If the obligation is not fulfilled within the specified time limit, and in cases where the judicial officer's notice is not sent, the judicial officer shall begin imposing restrictions on the debtor's funds and/or assets.

In the case of recovery of smaller debts (of up to several thousand euros), the funds in the person's bank accounts are typically seized and, if the person has a job, a decree of the judicial officer is sent to the said person's workplace with a request to make periodic monthly deductions from the debtor's salary in order to cover the debt. Real estate or movable property belonging to the debtor may also be seized. In more complex cases involving larger debts, the judicial officer shall choose optimal means of recovery in cooperation with the plaintiff, and coordinate their payment costs (for example, property valuation costs).

The Code of Civil Procedure grants the plaintiff the right to participate in the enforcement procedure and challenge the ownership of the property and its valuation, as well as grants other rights such as the right to propose which assets should be recovered first.

When debt recovery is directed to a person's property, it may be covered in two ways: by announcing an e-auction, or by selling the property to the buyer proposed by the debtor.

When property is disposed of by e-auction, the judicial officer shall draw up a report of sale of the property which is equivalent to a sales contract.

When seized property is sold to a buyer proposed by the debtor, and after the buyer pays an amount that is sufficient to cover the debt and enforcement costs, the judicial officer shall close the proceedings by drawing up a report of sale of the property to the proposed buyer.

Duration of enforcement procedure

The duration and costs of procedures depend on the nature and size of debt: the larger the debt and the longer the enforcement procedure, the more enforcement costs are accrued.

Debt: up to EUR 100: recovery may take from 15 days to 1-3 years. Fastest recovery is achieved via the simplified recovery process where the debt and its recovery costs are recovered from the funds held in the person's bank account.

Debt: EUR 1 000: recovery may take from 1 month to 1-5 years. Fastest recovery is achieved when a person pays the debt and all recovery costs within the deadline of 10 days specified in the judicial officer's notice.

Debt: EUR 20 000: recovery may take from 2-3 months to 1-10 years. Relatively large debts are almost never repaid within the 10-day period specified in the judicial officer's notice. One of the ways to repay debt faster is to sell the seized property to a buyer proposed by the debtor. The sale of property by auction will not be executed if, prior to the announcement of the auction, an amount that is not less than the value of the seized property specified in the deed of seizure or is sufficient to fully cover all debts and enforcement costs is transferred to the deposit account of the judicial officer. A transaction is executed in place of the forced sale procedure, only in this case the report of sale of the property is approved not by a notary but by a judicial officer.

Cost of enforcement procedure

Enforcement costs comprise of:

1) costs of administration of enforcement proceedings necessary for the execution of mandatory actions in all enforcement proceedings;

2) additional costs of administration of enforcement proceedings incurred during the execution of separate actions in specific enforcement proceedings;

3) remuneration to judicial officers for the enforcement of enforceable titles prescribed by law, statement of factual circumstances by court order, and the transfer and service of documents by court order.

Debt – up to EUR 100: recovery costs around 31 euros (excluding remuneration to the judicial officer). If there are no funds in the person's bank account and recovery is commenced under general procedure, recovery costs around 111 euros.

Debt – EUR 1 000: recovery costs around 52 euros (excluding remuneration to the judicial officer). If payment is not provided within 10 days and more enforcement measures must be applied to recover the debt, recovery costs shall increase to EUR 222.

Debt – EUR 20 000: the final price of enforcement may reach from EUR 1 540 to 1 730, depending on whether an auction of the debtor's property was announced during the proceedings, and on the property valuation price.

