
ADMINISTRATIVE JUSTICE SYSTEM IN LITHUANIA: GENESIS, DEVELOPMENT AND TENDENCIES

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Annotation. The article presents the development of the Lithuanian administrative justice system. Administrative justice is understood as a specialized system for resolving disputes arising in the field of public administration. The origins of Lithuanian administrative justice are linked to the works of legal scholars before the Second World War. During that period, professors M. Romeris and P. Leonas focused on the issue of administrative justice and control of the legality of administrative actions in their researches. Lithuanian scholars already justified the need for administrative justice before the war, modeled a possible system of administrative justice, but their theoretical insights and draft laws on the establishment of an administrative court were not implemented until the restoration of Lithuania's independence. Only in 1999 specialized administrative courts were established in Lithuania. Also during that period, special pre-trial administrative dispute resolution institutions were established: the Supreme Commission for Administrative Disputes and Tax Disputes Commission. The structural reform of Lithuanian administrative courts and the Supreme Commission for Administrative Disputes took place in 2018. The system of administrative justice is still being reformed and new bills have been submitted to Parliament. Therefore, the article discusses the changes that have already taken place and the changes in administrative justice in Lithuania planned for the near future.

Keywords: administrative justice, administrative courts, administrative quasi-courts, pre-trial dispute resolution.

INTRODUCTION

After the restoration of independence, Lithuania underwent a number of significant changes not only in the political, economic and social life of the state, but also in the development of the system for controlling the legality of the actions of the administration. For more than three decades, Lithuania has been on the path of democratic processes. Forms of state governance are improving, society is becoming more and more open, new legal institutions and organizations are being formed, and existing institutions are being reformed. For a long time, there were no institutions in Lithuania that protected people from the arbitrariness of

administrative power. In 1999 specialized administrative courts and administrative dispute commissions were established. In this way, a new mechanism was created, which allowed to increase the security of individual rights by means of the control of the legality of the actions of the administration, enabling the protection of the rights of persons violated by improper actions of the administration.

Although the Lithuanian system of administrative justice is relatively young, its ideological beginnings can be found in the works of scholars even before the Second World War. During that period, Mykolas Romeris and Petras Leonas mainly wrote on the topic of administrative justice and control of the legality of administrative actions. Later, after the restoration of Lithuania's independence, the works of the mentioned scientists were studied by such scholars as Juozas Žilys¹, Arvydas Andruškevičius², Mindaugas Maksimaitis^{3,4}, Kęstutis Lapinskas⁵ etc.

Later, after the establishment of administrative courts, on the subject of administrative justice wrote J.Paužaitė-Kulvinskienė⁶, S.Šedbaras⁷, D.Raižys⁸, D.Urbonas⁹, aspects of pre-trial administrative dispute resolution were explored by these scholars: L.Paškevičienė¹⁰, *Daiva Bereikienė*, *Tomas Gagys*, *Jūratė Ramanauskaitė*¹¹, *B.Pranevičienė*¹² and others.

The structural reform of Lithuanian administrative courts and the Supreme Commission for Administrative Disputes took place in 2018. The system of administrative justice is still being reformed and new bills have been submitted to Parliament. Therefore, it is important to

1 Žilys J., Administracinių teisės aktų teisėtumo problema prof. Mykolo Romerio mokslo darbuose. *Jurisprudencija*, 2005, t. 64(56); 19–28

2 Andruškevičius A., Profesorius Mykolas Romeris lege ferenda nuostatos administracinio teismo klausimu ir jų atspindys dabartinėje Lietuvos teisėje, *Jurisprudencija*, 2010, 3(121), p. 25–37

3 Maksimaitis M., Teisinės valstybės modelis // Mykolas Romeris mokslas apie valstybę. – Vilnius: Mokslo aidai, 1997.

4 Maksimaitis M., Petras Leonas: advokatas ir profesorius, *Jurisprudencija*, 2016, 23(1), p. 7–24

5 Lapinskas K., M. Romeris ir administracinė justicija Lietuvoje. Mykolas Romeris ir šiandiena: teminis straipsnių rinkinys / Sud. Mindaugas Maksimaitis. Vilnius: Lietuvos teisės universitetas, 2000, p. 27–37

6 Paužaitė-Kulvinskienė, J. Administracinė justicija: teorija ir praktika. Vilnius: Justitia, 2005

7 Šedbaras S. Administracinio proceso teisinio reglamentavimo problemos Lietuvos Respublikoje. Vilnius: Justitia, 2006

8 Raižys D. Procesas pirmosios instancijos administraciniame teisme. Daktaro disertacija, Mykolas Romeris Universitetas, 2008

9 Raižys D., Urbonas D., Legal issues concerning judicial control of the legality of normative administrative acts, *Jurisprudencija*, 2009, 2(116), p. 167–186

10 Paškevičienė L., Išankstinio administracinių ginčų nagrinėjimo institutas Lietuvoje: teisinio reguliavimo aiškinimo problematika, *Teisė / Law* . 5/20/2019, Vol. 111, p. 67-91

11 Bereikienė D., Gagys T., Ramanauskaitė J., Greito proceso administracinių ginčų komisijoje koreliacija su asmens teise į teisingą procesą, *Visuomenės saugumas ir viešoji tvarka*, 2019 (23), p. 17- 32.

12 Pranevičienė B., *Kvaziteismai administracijos kontrolės sistemoje*, Vilnius: Lietuvos teisės universitetas, 2003

analyze the changes in Lithuanian administrative justice that have already taken place and the changes planned for the near future.

The purpose of this article is to present the origins of administrative justice in Lithuania, its development and possible development perspectives.

In accordance with its purpose, the methods of historical, comparative and systematic analysis have been used in the preparation of this article. In order to present the genesis of administrative justice in Lithuania, an analysis of scholarly works and historical sources was performed. Legal acts and their amendments and draft new legal acts were analyzed in order to present the development and changes of the Lithuanian administrative justice system.

THEORETICAL ASSUMPTIONS AND LEGAL BACKGROUND FOR THE ESTABLISHMENT OF ADMINISTRATIVE COURTS IN 1918 – 1940

Lithuania proclaimed the Declaration of Independence on February 16, 1918, and it proclaimed Lithuania as an independent Republic, organized according to democratic principles. A new system of public organisation was being developed. In 1922, the Constitution of the Republic of Lithuania was adopted, which essentially legalized the function of the administrative court:

“The court decides the legality of administrative orders”¹³

Article 18 of the chapter "Lithuanian Citizens and Their Rights" of this Constitution stated that a citizen who has been abused by an official in office has the right to appeal to a court and demand compensation for damages in accordance with the procedure prescribed by law: “A citizen who has been abused by an official in office has the right to appeal to a court in accordance with the procedure established by law”¹⁴. However, no such laws have been passed.

During the period of validity of 1922 Constitution, there were attempts by individual citizens and lawyers representing them to apply to various judicial institutions with complaints about acts of public administration that violated their interests. However, no court has declared itself competent to deal with such type of complaints.

Later, the 1928 Constitution of the Republic of Lithuania omitted the provisions on the administrative court. No provisions for an administrative court were included in 1938 Constitution of the Republic of Lithuania either¹⁵.

13 1922 Constitution of the Republic of Lithuania, Lietuvos valstybės konstitucijos. Vilnius, 1989, Art. 68

14 1922 Constitution of the Republic of Lithuania, Lietuvos valstybės konstitucijos. Vilnius, 1989, Art. 18

15 Lietuvos valstybės konstitucijos. Vilnius, 1989.

Theoretical discussions on the topic of administrative justice, control of the legality of administrative actions, establishment of a specialized administrative court, etc. were quite intense during that period. One of the most famous lawyers and scientists of that time, professor Mykolas Romeris was an active promoter of the establishment of an administrative court. Professor M. Romeris in 1928 published a conceptual study “Administrative Court”, and later in the magazine of literature, science, society and academic life “Židinys” he commented on the draft Law on Administrative Court prepared by the State Council and the version of this draft prepared by the Seimas’ Commission in 1940.¹⁶

According to Mykolas Romeris, a particularly important role in a democratic state is the function of the judiciary and the control of the activities of administrative institutions and officials. Mykolas Romeris stated: "the administrative court is one of the most serious institutions of the Rule of law, on which the Rule of law is based, because without an administrative court the state is only police state, not State under the Rule of law"¹⁷. Principal prof. M. Romeris’ provisions on the administrative court were as follows: first of all, the administrative court must be independent – it means, the court must be separated from the executive, second, the jurisdiction of the administrative court must be general and not attributive, it means the administrative court should settle disputes concerning all acts of public administration, except those which are specified by law as exceptions.¹⁸

According to the suggestion of M. Romeris, an attempt was made to solve the problem of the administrative court in the draft Law on the Organization of Courts prepared by the State Council. However, on 9 December 1931 the Cabinet of Ministers decided to delete the provisions related to the administrative court from the draft Law on the Organization of Courts. Later, on the basis of the resolution of the Cabinet of Ministers, a special commission of the Administrative Court was formed, which drafted the Law on the Administrative Court. The draft provided that "an administrative court may be appealed against by a person whose direct personal matter has been seized by the administrative act; the contested act is not required to infringe any of the complainant's subjective rights"¹⁹

16 Lapinskas, K. M. Riomeris ir administracinė justicija Lietuvoje. Mykolas Riomeris ir šiandiena: teminis straipsnių rinkinys / Sud. Mindaugas Maksimaitis. Vilnius: Lietuvos teisės universitetas, 2000, p. 27–37.

17 Riomeris, M. Mokslas apie valstybę. Vilnius, 1997. P.195

18 Römeris, M. Administracinis teismas. Kaunas: Valstybės spaustuvė, 1928.

19 M. Riomeris, Administracinio teismo įstatymo projektas. Židinys. 1940. Nr. 5-6, p. 564

In 1936 the issue of the administrative court was raised again in the Parliament of the Republic of Lithuania. The initiative to raise the issue of the Administrative Court with the Seimas belongs to the member of the Parliament, Prime Minister Antanas Merkys. A commission of the Administrative Court, chaired by A. Merkys, was formed in the Seimas with the task - to prepare the draft law. Unfortunately, the creative work of the administrative court was interrupted by the beginning of the Soviet occupation.

CONSTITUTIONAL FOUNDATIONS OF SPECIALIZED ADMINISTRATIVE JUSTICE AFTER THE RESTORATION OF INDEPENDENCE OF LITHUANIA

On 25 October 1992, the Constitution of the Republic of Lithuania (which came into force on 2 November 1992) was adopted by referendum.

For the first time in the history of the state the Constitution provided for the institution of administrative courts.

“The courts of the Republic of Lithuania shall be the Supreme Court of Lithuania, the Court of Appeal of Lithuania, regional courts, and local courts.

For the consideration of administrative, labour, family, and cases of other categories, specialised courts may be established according to the law.

No courts with extraordinary powers may be established in the Republic of Lithuania in time of peace.

The formation and competence of courts shall be established by the Law on Courts of the Republic of Lithuania.”²⁰

Taking into account the constitutional foundations of administrative justice, in 1999 for the first time specialized administrative courts and pre-trial institutions examining administrative disputes were established in Lithuania: the Supreme Commission for Administrative Disputes and Tax Disputes Commission.

I PERIOD: 1999 – 2000

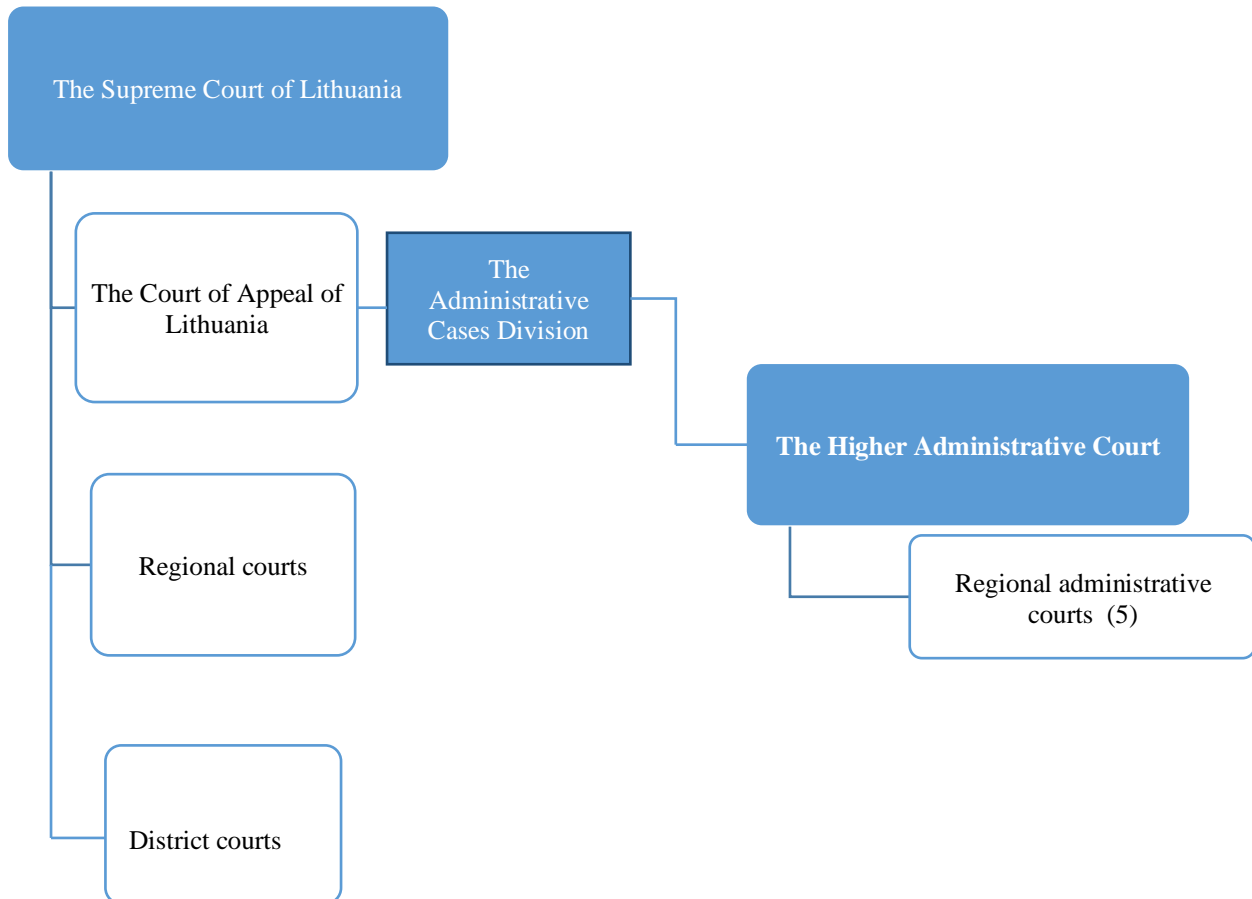
Parliament of the Republic of Lithuania 1998 June 25 approved the Outline of the Reform of the Legal System on 25 June 1998²¹. They indicated that using the system of general courts, two-instance administrative courts would be established in Lithuania, to which cases on the

20 Constitution of Republic of Lithuania, Valstybės Žinios, 1992, Nr.:31, Publ. Nr. 953, Article 111

21 Resolution of the Seimas of the Republic of Lithuania on the Outline of the Reform of the Legal System (new version) and their Implementation, Valstybės žinios, 1998-07-08, Nr. 61-1736

legality of decisions taken by management institutions and officials and other cases arising from administrative legal relations, such as taxes, etc., would be transferred.

The Law on the Establishment of Administrative Courts of the Republic of Lithuania was adopted on 14 January 1999²². On its basis, administrative courts were established in Lithuania, and they started operating on 1 May 1999.



1 picture. Lithuanian Courts System 1999-2000 (composed by the authors)

The system of newly established administrative courts consisted of 5 regional administrative courts (Vilnius, Kaunas, Klaipėda, Panevėžys and Šiauliai), the Higher Administrative Court and the Administrative Cases Division of the Lithuanian Court of Appeal. This model was temporary, chosen for economic reasons and was called a transition period.

By establishing a system of administrative courts, Lithuania has demonstrated its desire to strengthen the control of public administration, to implement the constitutional provision that government institutions must serve the people. Administrative courts have to interpret and

²² Law on the Establishment of Administrative Courts of the Republic of Lithuania, Valstybės žinios, 1999-02-03, Nr. 13-309

apply national, international and European Union law in such a way that public authorities take lawful and reasonable decisions that allow the development of fair competition, personal initiative and other free market values.

The Law on Administrative Proceedings was adopted²³. A pre-trial dispute settlement procedure had been established: before applying to an administrative court, individual legal acts or actions adopted by public administration entities provided by law may be challenged in the pre-trial procedure. The procedure for administrative dispute commissions and the principles of their operation have been established²⁴: unless otherwise provided by law, pre-trial examination of administrative disputes shall be performed by municipal public administrative dispute commissions, county administrative dispute commissions and the Supreme Administrative Dispute Commission.

In 1999 a specialized tax dispute commission has also been set up. The Tax Dispute Commission is a pre-trial body for tax disputes, a quasi-court. It is an institution established under the Government of the Republic of Lithuania. The purpose of the Commission is to examine the taxpayer's complaints objectively and to reach lawful and reasoned decisions.

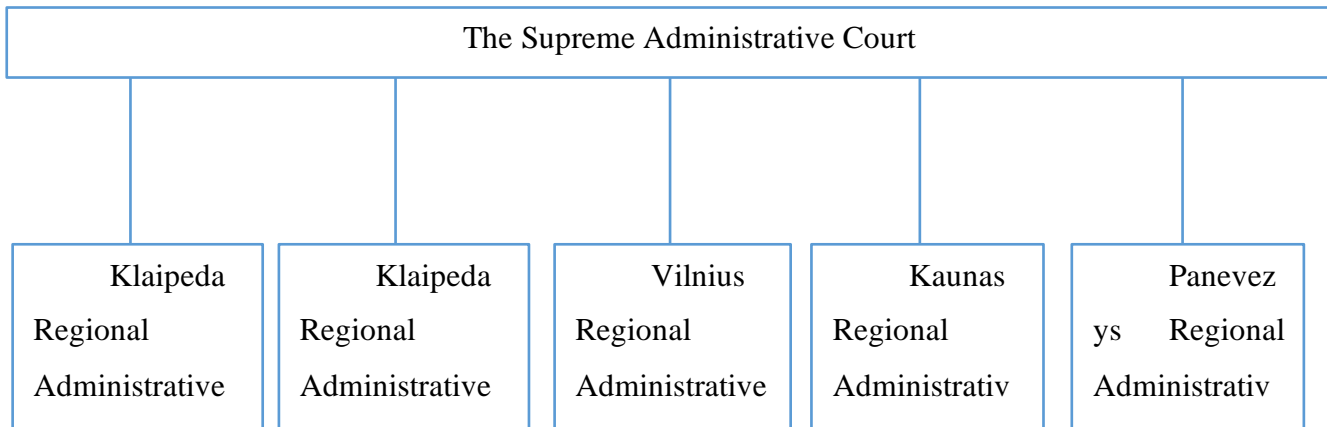
II PERIOD: 2001 – 2017

In 2000 the final stage in the formation of the separate administrative court system was launched in June. The draft Law Amending and Supplementing the Law on the Establishment of Administrative Courts submitted to the Seimas noted that the dual legal nature of administrative courts complicates the process of establishing this court system, hinders the formation of unified court practice by applying laws, prevents proper judicial control and effective administrative supervision. These circumstances determined the need to reorganize the Administrative Cases Division of the Court of Appeal of Lithuania and the Higher Administrative Court into the Supreme Administrative Court of Lithuania and thus definitively separate the system of administrative courts from the system of courts of general jurisdiction. Thus since 2001 Lithuania created a smooth and clear system of two-tier administrative courts: regional administrative courts and the Supreme Administrative Court of Lithuania, among other things, forming a unified practice of administrative courts.

23 Law on Administrative proceedings of the Republic of Lithuania, Valstybės žinios, 1999-02-03, Nr. 13-308

24 Law on on Administrative Disputes Commissions of the Republic of Lithuania, Valstybės žinios, 1999-02-03, Nr. 13-310

On 19 September 2000, the Law on the Establishment of Administrative Courts was amended and as of 1 January 2001, the system of administrative courts of the Republic of Lithuania consisted of 5 previously established regional administrative courts and the Supreme Administrative Court of Lithuania.



2 picture. Lithuanian Administrative Courts System 2001 – 2017 (composed by the authors)

III PERIOD: 2018 – UNTIL NOW

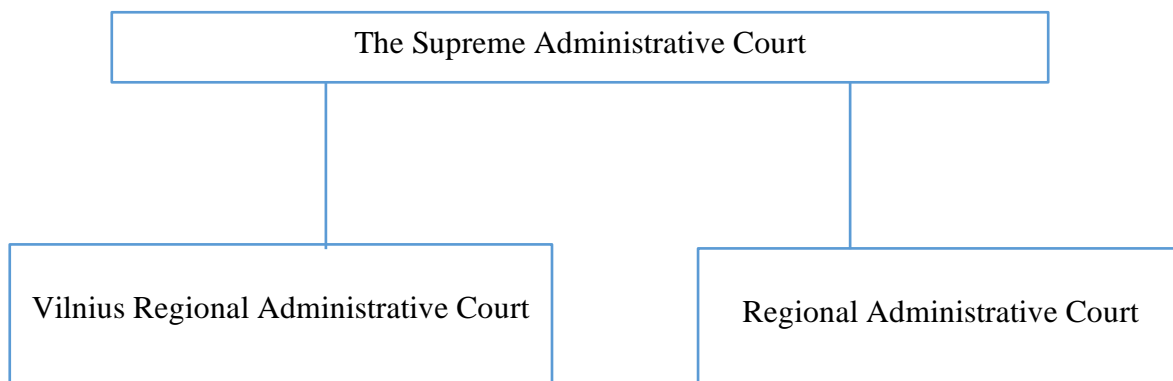
2015 December 22 the Seimas of the Republic of Lithuania adopted the Resolution “On the Reorganization of Courts”²⁵, which provided that the institutional reorganization of the courts must be completed by 1 January 2018. The objectives of the reorganization of the judicial system were as follows:

- 1) To increase the efficiency of case processing by equalizing the workload and conditions of judges and court staff;
- 2) To facilitate the exercise of the right of individuals to go to court by providing opportunities to conduct proceedings as close as possible to the person's place of residence;
- 3) To make more efficient use of the human and material resources of the courts by concentrating the resources allocated to the administration of the courts;
- 4) To expand the self-government of judges by legalizing a new chain of judicial self-government;
- 5) To expand the possibilities of specialization of judges by increasing the number of judges working in one court;

²⁵ The Resolution of Seimas of the Republic of Lithuania “On the Reorganization of Courts”, TAR, 2015-12-23, Nr. 20269

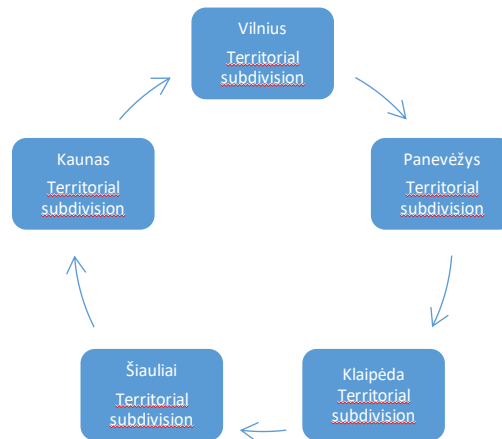
- 6) To eliminate organizational obstacles in the handling of cases - to harmonize the areas of activity of courts and other law enforcement institutions.

As part of the judicial reform, from 1 January 2018 regional administrative courts were reorganized. The Supreme Administrative Court of Lithuania and two regional administrative courts are currently operating in Lithuania: Vilnius Regional Administrative Court and Regional Administrative Court (Kaunas Palace of Regional Administrative Court, Klaipėda Palace of Regional Administrative Court, Šiauliai Palace of Regional Administrative Court, Panevėžys Palace of Regional Administrative Court).



3 picture. Lithuanian Administrative Courts System from 2018(composed by the authors)

The structural reform of the Supreme Administrative Disputes Commission in 2018 has been implemented as well. Until then, the supreme Administrative Disputes Commission of Lithuania, operating in Vilnius, examined only administrative disputes regarding decisions taken by the Central Authorities. The Supreme Administrative Disputes Commission was reorganized, renamed the Lithuanian Administrative Disputes Commission and additional 4 divisions of the Lithuanian Administrative Disputes Commission operating on the territorial principle were established.



4 picture. The structure of Lithuanian Administrative Disputes Commission (composed by the authors)

RECENT DEVELOPMENTS

In 2019 the modern administrative justice system in Lithuania celebrated 20 years anniversary. Also, the Minister of Justice of the Republic of Lithuania in March 2019 created a working group for the improvement of legal acts regulating the settlement of administrative disputes. The main idea of such reform is the strengthening of the institute of pre-trial administrative dispute solution. As it was mentioned above, there are two main quasi-court institutions in Lithuania - Lithuanian Administrative Disputes Commission (below-Commission) and Tax Disputes Commission. Since January 2018 the Supreme Commission for Administrative Disputes, which examines administrative disputes, was reorganized into the Lithuanian Administrative Disputes Commission with territorial divisions in Kaunas, Klaipėda, Šiauliai and Panevėžys, thus the Commission operates throughout the territory of Lithuania. Discussions between lawyers and politicians advocate a mandatory pre-trial procedure for certain categories of administrative disputes. Therefore, it is envisaged that some cases will be examined by the Lithuanian Administrative Disputes Commission in a mandatory pre-trial procedure.

At the moment, individual can choose whether to appeal to the Regional administrative court or to the Lithuanian Administrative Disputes Commission. Complaints are currently being investigated by 27 members of the Commission - state officials in Vilnius, Kaunas, Klaipėda, Šiauliai and Panevėžys. 35 positions of civil servants and employees working under employment contracts have been approved. The Commission examines disputes quickly and efficiently - according to Article 12 of the Law on Pre-trial Administrative Disputes of the

Republic of Lithuania, a complaint (request) submitted to the Administrative Disputes Commission must be examined no later than within 20 working days from its adoption; if necessary, by a reasoned decision of the Commission, the general term for the examination of the complaint (application) may be extended for another 10 working days.

According Commission activity reports²⁶ only about 12 percent decisions were appealed to the district administrative court (respectively, the number of cases examined by Lithuanian Administrative Disputes Commission, in which the decisions were not appealed, reduces the workload of the courts). For example out of all 1167 decisions made by the Commission in 2018, only 143 decisions were appealed to the administrative court: 25 decisions made by the Commission were not annulled, 12 were annulled, one case was terminated by a settlement agreement between the parties; was not accepted²⁷.

When considering administrative cases in courts, it is observed that when an administrative dispute is first examined in independent collegial pre-trial institutions, such cases are processed in courts faster and with higher quality, as the factual and other factual issues of the essential case are determined; the number of complaints submitted by public administration entities is decreasing; the stability of court decisions is increasing. In addition, pre-trial solution of administrative disputes is a less formalized, faster, and cheaper way for individuals to defend violated rights and interests protected by law.

Taking this into account, the above mentioned working group prepared the project of suggested changes of the Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 (articles 20, 23, 28, 31, 33, 43, 56, 78, 88, 117, 133, 134) and supplementing this law with articles 115¹ ir 138¹; suggested changes of Law on the Procedure for Pre-trial Administrative Disputes of the Republic of Lithuania No. VIII-1031 (articles 2, 5, 8, 10, 14, 18, 19), supplementing this law with articles 10¹, 13¹, 13², 20¹ and cancelation of article 21; changes of Law of the Republic of Lithuania “On the Legal Status of Aliens” No. IX-2206 (chapter X), Law on the Civil Service of the Republic of Lithuania No. VIII-1316 (articles 5, 18, 32, 34, 51) and supplementing this law with article 56; changes of the Penal Enforcement Code of the Republic of Lithuania (Article 183).

26 Planning documents of the Lithuanian Administrative Dispute Commission.

[<https://lagk.lrv.lt/lt/administracine-informacija/planavimo-dokumentai>]

27 Activity Report of the Lithuanian Administrative Disputes Commission for 2018.

[[https://lagk.lrv.lt/uploads/lagk/documents/files/Administracine%20informacija/Veiklos%20ataskaitos/2018%20veiklos%20ataskaita\(1\).pdf](https://lagk.lrv.lt/uploads/lagk/documents/files/Administracine%20informacija/Veiklos%20ataskaitos/2018%20veiklos%20ataskaita(1).pdf)]

All above mentioned drafts of amendments of the laws intend the mandatory pre-trial examination of disputes regarding:

- 1) compensation for damage caused by illegal actions of state administration entities and municipal administration entities;
- 2) regarding the decision to refuse to issue, change or revoke a residence permit in Lithuania, to refuse to issue or revoke a work permit in Lithuania;
- 3) disputes between civil servants.

The Commission and its territorial subdivisions do not resolve: 1) cases that do not fall within the jurisdiction of administrative courts, 2) cases that are not subject to out-of-court pre-trial procedures, 3) disputes (cases) based on complaints (requests) for other pre-trial disputes, 4) cases which, according to the laws, are assigned to the exclusive competence of the Vilnius Regional Administrative Court, 5) cases assigned to the Supreme Administrative Court of Lithuania, 6) tax disputes; 7) administrative disputes, for which the law establishes a different procedure, 8) issues of compensation, 9) issues of reimbursement of costs incurred by the parties to the case.

To make the proceedings before the court of first instance more expeditious and efficient, when considering a case concerning a decision made by a quasi-judicial institution, it is proposed to establish in the draft of Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 that new evidence which has not been submitted to the Commission, its territorial unit or the Tax Disputes Commission, which has examined the dispute in a mandatory pre-trial procedure, shall be examined only if the court finds reasonable reasons for not doing so earlier or when the need to submit new evidence arose later in court proceedings. In addition, in order to ensure a fair trial, it is established that a complaint (application, statement) against a decision of Commission, its territorial unit or the Tax Disputes Commission made after a mandatory pre-trial examination of an administrative dispute may not raise claims that were not filed in these institutions. Requirements that are inextricably linked to already submitted requirements are not considered as new requirements. Given that Commission and its territorial subdivisions and the Tax Disputes Commission hear disputes at hearings (oral proceedings), the draft of Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 proposes to establish an exception for oral proceedings in court, stipulating that a case may be heard in written proceedings when appealing to Commission, a

decision of its territorial subdivision or the Tax Disputes Commission, if the parties to the proceedings do not object to such proceedings within the time limit set by the court.

Assessing the fact that Commission and the Tax Disputes Commission would be mandatory pre-trial institutions for certain categories of administrative disputes, it is envisaged to grant them the right to suspend the dispute in case of doubt as to the legality of a normative administrative act upon request to check whether a specific normative administrative act (or part thereof) that should be applied in resolving the dispute complies with the law or the Government normative act. Project of Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 proposes to regulate the form of an application for the legality of a normative administrative act to an administrative court - such an application would be formalized by a decision; the Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 also sets requirements for the content and annexes of the decision.

The draft Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029 and the draft Law of the Republic of Lithuania on the Procedure for Pre-trial Administrative Disputes No. VIII-1031 propose to change the rules of territorial jurisdiction of administrative cases in order to make them more flexible, to allow the applicant to sue closer to his place of residence, while creating more equal distribution of cases between Vilnius Regional Administrative Court and Regional court chamber (respectively for a more even distribution of labor cases between Commission and its territorial divisions).

Projects also proposes to establish that an appeal (application, statement) shall be filed at the choice of the applicant: 1) to the administrative court in whose territory the applicant's place of residence is located, or 2) to that administrative court; in the territory of which the defendant has its registered office (residence) or, if the defendant is a state or a municipality, in the administrative court in the territory of which the seat of the institution representing the defendant is located. An analogous option of the applicant is offered when submitting a complaint (application) to Commission or its territorial subdivision.

In order to better ensure the guarantees of the procedural rights of individuals in mandatory pre-trial proceedings in administrative disputes, it is proposed to establish a general provision on the procedural rights and obligations of the parties, in particular by establishing that the procedural rights of the parties are equal; the fact that the parties to the case have the right to make exclusions and requests, requests to receive procedural documents in electronic form by electronic means, provide evidence, participate in the examination of evidence, ask

questions to other parties, witnesses, specialists, give explanations, present arguments and arguments; requests, arguments and reasoning of the parties to the case, to receive copies of the decisions of Commission and its territorial subdivisions resolving the case, to appeal against the decisions of Commission and its territorial subdivisions and to exercise other rights granted by this law.

Thus, the above mentioned projects of laws propose to expand pre-trial administrative dispute resolution in independent collegial pre-trial institutions in order to resolve such disputes faster, more efficiently and at lower cost, while reducing administrative court workload and thus allowing other cases in the courts to be dealt with more quickly and efficiently, paying more attention to complex cases. It is estimated that the adoption of the draft of above mentioned laws would reduce the workload of administrative courts of first instance by about 4,000 cases, thus reducing the number of appeals filed with the Supreme Administrative Court of Lithuania in the future, thus creating preconditions for faster and better processing of other court cases. Pre-litigation proceedings would lead to faster resolution of administrative disputes with lower costs for the parties (no stamp duty, no mandatory representation by a lawyer).

CONCLUSIONS

1. The emergence of new modern state institutions in Lithuania to control the legality of administrative actions in Lithuania is based on the valuable legacy of pre-war Lithuanian legal specialists and scholars. In addition, the emergence of administrative justice is based on a solid legal basis - constitutional norms.
2. Specialized system of protection of human rights in the field of public administration exists in Lithuania since 1999. There are administrative courts and quasi-courts (Lithuanian administrative disputes commission, Tax disputes commission).
3. Recent initiatives in Parliament proposed the expansion of pre-trial administrative dispute resolution in independent collegial pre-trial institutions in order to resolve such disputes faster, more efficiently and at lower cost, while reducing administrative court workload and thus allowing other cases in the courts to be dealt with more quickly and efficiently, paying more attention to complex cases.
4. The Lithuanian administrative justice system has been transformed since its establishment and is currently being reformed, so it is not possible to assess its effectiveness at this time.

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