



(Map source: Europa)

Finland



Population: 5 100 000 inhabitants
Surface area: 338 000 Km²
Capital: Helsinki
Currency: Euro
Official language: Finnish
Form of government: Republic
Membership in the EU: 1995
Membership in the UIHJ: 1995

The Ulosottomiehet

Who are the professional officers charged with the enforcement of court judgments, the service of writs, or with debt collection?

The judicial officers. They exercise a monopoly on the enforcement of judgments, enactments and writs of execution in Finland. They may likewise proceed to the service of writs and to the enforced sale by public auction of the debtor's seized possessions.

What is the status of these professional officers?

The judicial officers are functionaries of the Ministry of Justice and are appointed by the Minister of Justice. The profession and admission to it are regulated. The judicial officers are operating wholly under the constraints of deontological, disciplinary, and professional rules governing the profession.

How are the judicial officers organised?

Approximately 1 500 individuals are engaged in the enforcement of court judgments in Finland: 85 are judicial officers and 700 are judicial assistants that are occupied mostly with enforcement in the field, while 700 are employed in an administrative capacity in the offices.

The officers are spread over the 70 territorial districts of Finland. The **Minister of Justice** supervises and manages the service of the enforcement but he may not interfere in the enforcement operations conducted by the judicial officers.

Information about the profession may be obtained by visiting the website of the Finnish Ministry of Justice: www.om.fi (site offers Finnish, Swedish, and English language versions).

How can one join the profession?

The candidate must have a law diploma and be a qualified lawyer. He will initially work as an assistant. After several years, he will be appointed by the Minister of Justice.



The enforcement of court judgments

Who is charged with the enforcement of court judgments in Finland?

It is the judicial officers that exercise a monopoly over the enforcement of judgments, instruments or writs of execution.

Can one contact a judicial officer directly to have a court order enforced?

The dossiers are passed on to the judicial officers in function of their individual territorial competences.

Is the judicial officer empowered to enforce execution against the entire debtor estate?

The judicial officer is entitled to proceed to all measures of enforcement against the debtor's estate of movable and immovable goods, tangible and intangible both. The procedures of garnishment of wages or seizure of bank accounts are the most

common measures with respect to the attachment of tangible representative goods.

Is the judicial officer responsible for carrying out the enforcement procedure?

The judicial officer is responsible for carrying out the proceedings for enforcement.

Is it possible for the judicial officer to obtain personal information about the debtor and his estate?

The judicial officer is given access to all files with a bearing on the debtor's estate.

Who pays for the judicial officer's intervention costs?

The debtor must assume the costs of the enforcement procedure. These costs are variously fixed (court costs).

The service of writs

Are judicial officers entitled to proceed to the service of writs?

The judicial officer proceeds to the physical presentation of the documents only on the occasion of an enforcement procedure.

What are the physical steps involved in serving a writ?

The writ is presented physically to the addressee or to another individual that is present at the addressee's domicile address or at the place of enforcement.

What is the force in law of a writ?

A written document avouches the handing-over of the writ to the addressee and confers upon it official status.

Does the judicial officer's intervention fall within the framework of the Council regulation (EC) N° 1348/2000 of 29 May 2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters?

No.



Debt collection

Is the judicial officer empowered to proceed towards the collection of debts?

No. Not at the present time.

Is it possible to contact a judicial officer directly for the purpose of collecting a debt?

How much will it cost a creditor to collect a debt?

Other areas of intervention

May the judicial officer arrange for sales by public auction?

Yes, within the context of the enforcement procedure against the debtor's possessions.

May the judicial officer engage in formulating legal findings and observations, such as statements of facts?

No.

May the judicial officer represent the parties before the courts?

No.

Is the judicial officer entitled to offer legal advice?

Yes, within the context of the enforcement procedure.

Is the judicial officer entitled to engage in other activities?

No.

