



Update: May 2023

## The Judicial Officer in the World

### ESTONIA

Name (singular and plural): **Kohtutäitur / Kohtutäiturid**

#### Presentation

##### Generalities

39 judicial officers are appointed within 42 offices. They work together with 0 trainees, 0 candidates, or 24 assistants and approx. 240 staff.

##### Training

###### Initial and ongoing training of judicial officers

To become a judicial officer, initial training is compulsory only in case, when person was appointed to position of judicial officer without working before at least one year as assistant of judicial officer, notary, judge, lawyer, or trustee in bankruptcy. An ongoing training is compulsory for every judicial officer depending on the degree of education. In case of Master of arts – 20 hours annually and in case of lower degree of education – 40 hours annually.

###### Ongoing training for the staff of judicial officers

Ongoing training courses are available for the staff of judicial officers. This training is occasionally organised by a specific training centre.

##### The exercise of the profession

Under exception, a professional exam is necessary to exert the profession of judicial officer. The judicial officers are appointed by the minister of justice. There is a limited number of judicial officers. A judicial officer cannot exert his activities within a structure including another or several other judicial officers.

The profession is represented at national level by **The Chamber of Enforcement Agents and Trustees in Bankruptcy (KOHTUTÄITURITE JA PANKROTIHALDURITE KODA)**.

##### Obligations of the judicial officer and ethical rules

There are rules relating to ethics and/or deontology applicable to the profession of judicial officer. Disciplinary rules are applicable to the profession of judicial officer. The judicial officer is submitted to a control of his activities.



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## Activities exerted by the judicial officers

### Enforcement of court decisions

The enforcement of court decisions is not an activity exerted by the judicial officers.

The judicial officer is in charge of enforcing court decisions, including the following enforcement measures:

- Attachment of movable goods in the hands of the debtor.
- Attachment of movable goods in the hands of a third party.
- Attachment of immovable.
- Attachment of earnings.
- Attachment in the hands of a third party of funds owed to the debtor.
- Attachment of intangible goods other than the funds owed to the debtor.
- Freezing and/or collection of tangible movable goods that should be handed over by the debtor according to a court decision.
- Attachment of motor vehicles.
- Attachment of ships and vessels.
- Attachment of airplanes.
- Attachment of crops.
- Attachment of goods locked in a safe.
- Evictions.
- Handing of children according to a court decision.
- Provisional measures on tangible movable goods of the debtor.
- Provisional measures on intangible movable goods of the debtor.
- Setting up of a provisional judicial security on an immovable of the debtor.
- Setting up of a provisional judicial security on a business of the debtor.
- Setting up of a provisional judicial guarantee on shares, stocks and securities of the debtor.
- Distribution to creditors of monies collected during the forced auction sale of a movable good.
- Distribution to creditors of monies collected during the forced auction sale of an immovable good.

When in charge of enforcement, the judicial officer has access to all available information on the assets of the debtor.

### Service of judicial or extrajudicial documents

The judicial officer can serve judicial and/or extrajudicial documents in civil, commercial and/or criminal matters. When serving documents, the judicial officer has access to information to locate and/or search the addressee, only in case of judicial documents.

### Forced public auction sales

The judicial officer can carry out the forced public auction sale of the following goods:

- Physical (as opposed to Internet) auction sale of tangible movable goods attached by the judicial officer.
- Internet auction sale of tangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) auction sale of intangible movable goods attached by the judicial officer.



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- Internet auction sale of intangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) auction sale of businesses attached by the judicial officer.
- Internet auction sale of businesses attached by the judicial officer.
- Physical (as opposed to Internet) sale of immovable goods attached by the judicial officer.
- Internet auction sale of immovable goods attached by the judicial officer.

### Voluntary public auction sales

The judicial officer can carry out the voluntary public auction sale of the following goods:

- Physical (as opposed to Internet) auction sale of tangible movable.
- Internet auction sale of tangible movable goods.
- Physical (as opposed to Internet) auction sale of intangible movable goods.
- Internet auction sale of intangible movable goods.
- Physical (as opposed to Internet) auction sale of businesses.
- Internet auction sale of businesses.
- Physical (as opposed to Internet) sale of immovable goods.
- Internet auction sale of immovable goods.

<b>Other activities (X = Yes)</b>	
Debt collection	
Statements of facts	<b>X</b>
Sequestration of goods	
Legal advice	<b>X</b>
Bankruptcy proceedings	
Missions entrusted by a judge	
Mediation	<b>X</b>
Representation of parties in the court	
Drawing up of private deeds and documents	
Court service	
Real estate management	