



Updated in April 2020

The Judicial Officer in the World

CHILE

Name (singular and plural): **Judicial Officer / Judicial Officers**

Presentation

Generalities

640 judicial officers are appointed within 640 offices. They work together with approx. 1200 staff. All are liberal or self-employed professionals. Every judicial officer or office of judicial officer is competent on a part only of the national territory (in competition with one or several other judicial officers)

Training

Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required: more than five years of law studies (doctorate, PhD or equivalent).

There is no initial training for the future judicial officers.

An ongoing training is not available for the judicial officers.

Ongoing training for the staff of judicial officers

Ongoing training courses are not available for the staff of judicial officers.

The exercise of the profession

No professional exam is necessary to exert the profession of judicial officer. The judicial officers are appointed by the Head of the State or the Ministry 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 **Union of Judicial Receivers of Chile**.

Obligations of the judicial officer and ethical rules

The judicial officer is submitted to the following obligations relating to his activities:

- Compulsory service of the judicial officer and possible cases of exemption of service
- Prohibition of service in certain cases (relationship, union, conflict of interest, ...)
- Cases and conditions in which the judicial officer must exert his activities personally
- Obligations relating to the professional activities of the judicial officer
- Conditions of keeping of archives of the judicial officer



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- Obligation to have an account specifically intended for depositing funds collected on behalf of clients of the judicial officer
- Obligation to hand over the monies of third parties in a specific time
- Obligation to comply with ethical and/or deontological rules
- Professional secrecy

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. The judicial officer is not submitted to a control of his activities.

Activities exerted by the judicial officers

Enforcement of court decisions

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 aeroplanes.
- Attachment of crops.
- Attachment of goods locked in a safe.
- Evictions.
- Handing of children according to a court decision.
- Bringing physically a party to a court hearing.
- 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.

When in charge of enforcement, the judicial officer has access to some 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.



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Forced public auction sales

The judicial cannot carry out the forced public auction sale of goods.

Voluntary public auction sales

The judicial cannot carry out the voluntary public auction sale of goods.

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