



Updated on: 10 November 2015

The Judicial Officer in the World

CHILE

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

Presentation

Generalities

640 judicial officer 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



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- Obligations relating to the professional activities of the judicial officer
- Conditions of keeping of archives of the judicial officer
- 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.



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When serving documents, the judicial officer has access to information to locate and/or search the addressee.

Forced public auction sales

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

Voluntary Public Auction Sale

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

Debt collection

The judicial officer cannot exert the activity of debt collecting.

Statements of facts

The judicial officer cannot carry out statements of facts when required by a natural or a legal person and/or on request of a Judge.

Sequestration of goods

The judicial officer can exert the activity of sequestration of goods.

Legal advice

The judicial officer cannot give legal advice.

Bankruptcy Proceedings

Under certain conditions, the judicial officer can exert a professional activity in the field of bankruptcy procedures.

Missions entrusted to the judicial officer by a judge

A judge can appoint a judicial officer to carry out a specific mission.

Mediation

The judicial officer cannot exert the activity of mediation.

Representation of parties in the court

The judicial officer cannot represent parties in the court.



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Drawing up of private deeds and documents

Under certain conditions, the judicial officer can draw up private deeds and documents for natural and legal persons.

Court service

The judicial officer is in charge of the court service.

Real estate management

The judicial officer cannot exert the activity of real estate agent.