



the observations, but he will have necessarily to reveal it after the ascertainment duly made so as to avoid contestation upon the confidential observations so done.

The choice of the means used to accomplish his mission

The bailiff should not use any means he said. Being an auxiliary of the Judge he must be of an essential honesty and an intrinsic dignity to its function has an « auxiliary of justice ». Some bailiffs presents were even surprised to conceive that finally it is up to the bailiff which must in the latter choose these means by which it will supplement its entrusted mission and not only with the sole constituent or applicant.

Several and relevant questions were put out to our lecturer by an extremely interested assembly. All these questions lets suppose that our colleagues and fellow-members of Quebec will have enormously learned by the numerous and various situations so practice in the course of that specific formation. It is with real cases that really happened on the ground and introduced and well explained as well with great success by Me Spinelli that we could ascertain this « statement ».

Let us mention finally the presence in this training of professor Hubert Reid former deanship of the Faculty of Law of the Laval University in Quebec which, in close cooperation with the Quebec bailiff professional Order is in preparation of a work which will specifically treat of the bailiff's statement of facts or ascertainment in Quebec.

We believe that the foundations are now relatively solid to permit this new way of keeping and producing relevant proofs and facts to become more and more effective in Quebec. Thus, it seems possible that this legal instrument can help not only the lawyers to tame it in matters known as litigious but also to amenable various situations permitting people to use it in multiple connections with the daily life and keep proof of all matter-of-fact that may disappeared with time. Now, the bailiff is entitled to keep and protect the proofs elements in writing through this bailiff's act called ; « statement of facts » or « ascertainment' report ».

Les Officiais de Justiça avaliadores renforcent leur présence à l'UIHJ

Une collaboration renforcée

Grâce à l'action de Me Vera Lucia Pinheiro dos Santos, alors président de l'Association de Rio des officiers évaluateurs, le Brésil n'a cessé depuis de longues années de marquer sa présence au sein de l'UIHJ. Plusieurs séminaires ont été organisés à Rio dont l'un de dimension mondiale avec la participation d'un groupe d'experts venus du monde entier (5-6 octobre 2000).

Depuis le congrès fédéral de Gramado au mois d'octobre 2004, les relations entre l'UIHJ et les officiers évaluateurs ont encore nettement progressé. Désormais, c'est l'Association fédérale qui a voté son adhésion à l'Union (FENASSOJAF). A cet égard l'implication du président Lopes Franco a été décisive.

Un grand pays en marche

Rappelons que les officiers évaluateurs sont des fonctionnaires qui ont pour mission de recouvrer les créances de l'état.

Oficiais de Justiça avaliadores strengthen their presence at UIHJ

A strengthened co-operation

With the help of Vera Pinheiro Dos Santos, then president of the Rio Association of Assessment officers, Brazil hasn't stopped to mark its presence at UIHJ. Several seminars have been organised in Rio, one of which of international dimension with the participation of a group of experts from around the world (5 and 6 October 2000).

Since the federal congress of Gramado, in October 2004, ties between UIHJ and the Assessment officers have still be re-enforced. Now, the Federal Association has voted its adhesion at the UIHJ (FENASSOJAF). In this matter, the involvement of the president Lopes Franco has proved essential.

A country at progress

Let's remember that the assessment officers are the civil servants who are in charge with the collection of the State debts.

Néanmoins nos collègues partagent les mêmes préoccupations que les huissiers de justice libéraux même si un changement de statut n'est pas à l'ordre du jour.

Le Brésil est un grand pays en marche vers de nombreuses réformes. Le régime de l'exécution est soumis à de nombreux changements. Un projet de loi prévoit la création des fonctions d'auxiliaires du juge ce qui ne convient pas aux officiers évaluateurs qui ne jouissent pas d'une reconnaissance équivalente et qui en appellent à l'UIHJ pour conforter leurs revendications auprès des autorités fédérales. Nos collègues s'élèvent encore contre les actes de violences perpétrés dans l'exercice de leurs fonctions qui font chaque année plusieurs victimes.

Une prochaine conférence doit se dérouler du 6 au 11 septembre 2005 à Maceio à laquelle le président Lopes Franco a convié l'UIHJ à participer.

Nevertheless, our colleagues share the same concerns as liberal judicial officers, even if a change in their status is not yet at stakes.

Brazil is a great country which has embarked on a large series of reforms. The enforcement system will change in the future. A draft law reform mentions the creation of the function of Judge assistant, which is not compatible with the function of assessment officers who do not have a similar recognition and who turn towards the UIHJ to promote their demands at the federal authorities.

Our colleagues protest against acts of violence perpetrated against them and that make several victims each year.

A conference will be held from 6 to 11 September 2005 in Maceio. The president Lopes Franco convened UIHJ to participate at the conference.