



Updated in April 2020

## The Judicial Officer in the World

### REPUBLIC OF LATVIA

Name (singular and plural): **Zvērināts tiesu izpildītājs - Zvērināti tiesu izpildītāji**

#### Presentation

##### Generalities

95 judicial officers are appointed within approx. 97 offices. They work together with approx. 60 assistant judicial officers and candidates for an assistant judicial officer and approx. 350 staff. All are liberal or self-employed professionals.

##### Training

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

To become a judicial officer, the candidate must meet the following educational criteria: master's degree in law and the qualification of a lawyer; as well candidate must have been acquired work experience in one of the following positions: as a judge, in the position of a sworn advocate, in the position of a sworn notary, in the position of a prosecutor, in the position of a judicial officer, at least two years - in the position of assistant judicial officer, at least five years - in another position of legal specialty after acquiring the qualification of a lawyer.

There is no initial training for the candidate judicial officer.

Judicial officers shall, not less than once in five years (counting from the day of appointment for the office or the day of passing the previous qualification examination), pass the qualification examination.

Judicial officers are required to raise their professional qualification level.

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

Ongoing training courses are available for the assistant judicial officers and candidate for an assistant judicial officer.

##### 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 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 **Council of Judicial Officers of Latvia**.

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

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



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- 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.
- Bookkeeping.
- 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 of counsel towards citizens in the framework of the activities of the judicial officer.
- Obligation to respect the tariff.
- Obligation for the judicial officer to be submitted to a control of his activities.
- Obligation to comply with ethical and/or deontological rules.
- Professional secrecy.
- Obligation to take out professional and civil liability insurance.

There are rules relating to ethics 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.

## Activities

### 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.
- Seizing 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 and herds
- Attachment of goods locked in a safe.
- Handing of children according to a court decision.
- Enforcement of decisions on rights of access.
- Return of a child to the state, which is his or her place of residence.
- Placing in possession of immovable property.
- Eviction of persons and removal of property from premises.
- Provisional measures on tangible movable goods of the debtor.
- Provisional measures on intangible movable goods of the debtor.
- Forced electronic public auction sale of tangible movable goods.
- Forced electronic public auction sale of intangible movable goods.



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- Forced electronic public auction sale of immovable.
- 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. Since January 1, 2019 judicial officers serve documents of foreign courts or extrajudicial documents.

### Forced public auction sales

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

- Auction sale of tangible movable goods attached by the judicial officer.
- Auction sale of immovable goods attached by the judicial officer.

### Voluntary public auction sales

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

- Auction sale of tangible movable goods attached by the judicial officer.
- Auction sale of intangible movable goods attached by the judicial officer.
- Auction sale of immovable goods attached by the judicial officer.

<b>Other activities (X = yes)</b>	
Debt collection	
Statements of facts	<b>X</b>
Sequestration of goods	<b>X</b>
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	<b>X</b> <b>(in some cases)</b>
Court service	
Real estate management	