



Updated in April 2020

## The Judicial Officer in the World

### SENEGAL

Name (singular and plural): **Huissier de justice / Huissiers de justice**

#### Presentation

##### Generalities

52 judicial officers are appointed within 50 offices. They work together with 16 candidate judicial officers and approx. 300 staff. All judicial officers are liberal or self-employed professionals.

##### Training

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

To become a judicial officer, the following level is required: Four years of law studies or equivalent (2<sup>nd</sup> year of Master or equivalent).

There is an initial training for the future judicial officers. This training is normally compulsory. Duration: up to 2 years.

An ongoing training is available for the judicial officers.

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

Ongoing training courses are available for the staff of judicial officers.

There is a punctual training system for the collaborators of judicial officers in the form of seminars organised according to the possibilities of the Council of the Order of Judicial Officers.

##### 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 decree of the Head of the State. There are a limited number of judicial officers. A judicial officer can exert his activities within a structure including another or several other judicial officers. Nearly all the judicial officers exert individually (two companies of judicial officers).

The profession is represented at national level by: **Conseil de l'ordre national des huissiers de justice du Sénégal (ONHJS)**.

##### 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.
- 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 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.

## 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.
- 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.
- Forced public auction sale of immovable.



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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.

### **Forced public auction sales**

The judicial officer cannot carry out the forced public auction sale of tangible or intangible movable goods attached by the judicial officer.

### **Voluntary public auction sales**

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

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