



Updated in April 2020

The Judicial Officer in the World

SPAIN

Name (singular and plural): **PROCURADOR DE LOS TRIBUNALES / PROCURADORES DE LOS TRIBUNALES**

Presentation

Generalities

Approx. 9400 procuradores are appointed.
All are liberal or self-employed professionals.

Training

Initial and on-going training of procuradores

To become a procurador, the following level is required: four years studies and a two years master at university.

A voluntary on-going training is available for the procuradores.

On-going training for the staff of procuradores

On-going training courses are not available for the staff of procuradores.

The exercise of the profession

Under exception, a professional exam is necessary to exert the profession of procurador. The procuradores are appointed by the Ministry of justice. The number of procuradores is not limited. A procurador can exert his activities within a structure including another or several other procuradores. Under a few exceptions, all the procuradores exert individually.

The profession is represented at national level by: **CONSEJO GENERAL DE PROCURADORES DE ESPAÑA.**

Obligations of the procurador and ethical rules

The procurador is submitted to the following obligations relating to his activities:

- Prohibition of service in certain cases (relationship, union, conflict of interest, ...).
- Obligations relating to the professional activities of the procurador.
- Conditions of keeping of archives of the judicial office
- Bookkeeping.
- Obligation to respect the tariff.
- Obligation to comply with ethical and/or deontological rules.
- Professional secrecy.



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- Recommendation to take out professional and civil liability insurance.

There are rules relating to ethics and/or deontology applicable to the profession of procurador. Disciplinary rules are applicable to the profession of procurador.

Activities

Enforcement of court decisions

The procurador 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.
- Arrest of persons according to a court decision.
- 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.
- Physical (as opposed to Internet) forced auction sale of tangible movable goods attached by the procurador.
- Internet forced auction sale of tangible movable goods attached by the procurador.
- Forced public auction sale of tangible movable goods.
- Forced public auction sale of intangible movable goods.
- Forced public auction sale of immovable.

When in charge of enforcement, the procurador has access to all available information on the assets of the debtor.

Service of judicial or extrajudicial documents

The procurador can serve judicial and/or extrajudicial documents in civil, commercial and/or criminal matters. When serving documents, the procurador has access to information to locate and/or search the addressee.



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Forced public auction sales

The procurador can carry out the forced public auction sale.

Voluntary public auction sales

The judicial cannot carry out the voluntary public auction sale of goods. The Consejo General has its own auction platform, furniture and real estate.

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