



Update: May 2023

The Judicial Officer in the World

BRAZIL

Name (singular and plural): **Oficial de justiça / oficiais de justiça**

Presentation

Generalities

Approx 30,000 judicial officers between Federal and State officers, approved for the position in public contest of qualifying tests and titles. They work in one of the 27 state courts of justice in Brazil, in addition to the 6 federal courts in country, and in the labour courts and military courts, as well as in the superior courts of justice.

Training

Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required: there is no initial training for the future judicial officers. An ongoing training is available for the judicial officers. This training is compulsory for the first 3 years as a Judicial Officer, after what the courthouses decide to keep the judicial officer for good, or let him go.

Ongoing training for the staff of judicial officers

The judicial officer has no staff. The staff of the judicial officer are public servants linked to the courthouses.

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 court where they are applying. There is a limited number of judicial officers. A judicial officer can exert his activities within a structure including another or several other judicial officers.

The profession is represented at national level by:

- Fenassojaf: National Association of Federal Judicial Officers (for Federal Officers).
- Fesojus: Federal Organisation of Judicial Officers (for part of the State judicial officers).
- Afogebra: National Association of Judicial Officers (for the other types of judicial officers).

The competence of Fesojus and Afogebra is determined by which state court the officer is linked.

Obligations of the judicial officer and ethical rules

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.



Update: May 2023

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 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.
- 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 all available information on the assets of the debtor.

Service of judicial or extrajudicial documents

The judicial officer can serve judicial documents (but not 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 cannot carry out the forced public auction sale of goods.

Voluntary public auction sales

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

Other activities (X = Yes)



Update: May 2023

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