



Update: May 2023

The Judicial Officer in the World

CZECH REPUBLIC

Name (singular and plural): **Soudní exekutor / Soudní exekutoři**

Presentation

Generalities

Approx 152 judicial officers are appointed within approx. 152 offices. All are liberal or self-employed professionals They work together with approx. 114 trainees, 84 candidates, and approx. 3200 staff.

Training

Initial and ongoing training of judicial officers

To become a trainee of judicial officer a master's degree in law is required.

A candidate judicial officer must fulfil these criteria:

- Three years of practice as a trainee of judicial officer.
- Attendance to ongoing legal training during the traineeship.
- Professional legal exam.

Candidates of judicial officers can work as employees of judicial officers or can be appointed as a judicial officer by the Minister of Justice. An ongoing training is available for the judicial officers. This training is not compulsory.

Ongoing training for the staff of judicial officers

Ongoing training courses are available for the staff of judicial officers and are provided by the National Chamber of Judicial Officers of the Czech Republic

The exercise of the profession

A professional exam is necessary to exert the profession of judicial officer. The judicial officers are appointed by the Minister 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. However, the Judicial Officer can employ staff, trainees and candidates.

The profession is represented at national level by the **National Chamber of Judicial Officers of the Czech Republic (Exekutorská komora České republiky)** which is based in Prague and has a branch office in Brno.



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Obligations of the judicial officer and ethical rules

The judicial officer is submitted to the following obligations:

- Prohibition of providing service in cases of conflict of interest.
- Gainful activities are incompatible with exercising the profession of judicial officer except for own asset management, publishing, pedagogical work, council, etc.
- Judicial Officers are subject to ethical rules laid down by the National Chamber of Judicial Officers of the Czech Republic and approved by the Ministry of Justice. The Judicial Officers are obliged to comply with these rules.
- There are cases and conditions in which the Judicial Officer must exert his activities personally.
- Conditions of archiving and bookkeeping.
- Obligation to respect the execution tariff.
- The Judicial Officers are obliged to tolerate controls of his activities by the court, the Ministry of Justice and the National Chamber of Judicial Officers of the Czech Republic.
- Professional secrecy.
- Obligation to take out professional and civil indemnity 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 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.
- Forced real estate management.
- Forced enterprise management.
- Forced sale of shares.
- Suspension of driving license in cases of enforcing the maintenance for a dependent child.
- Evictions.
- Provisional measures on tangible movable goods of the debtor.
- Provisional measures on intangible movable goods of the debtor.



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- 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.
- 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 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 can carry out the forced public auction sale of the following goods:

- Physical and Internet auction sale of tangible movable goods attached by the judicial officer.
- Physical and Internet auction sale of businesses attached by the judicial officer.
- Physical and Internet auction sale of immovable goods attached by the judicial officer.

Voluntary public auction sales

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

- Physical and Internet auction sale of tangible movable goods.
- Physical and Internet auction sale of businesses.
- Physical and Internet sale of immovable goods.

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