



Update: May 2023

The Judicial Officer in the World

KOSOVO*

Name (singular and plural): **Përmbaues Privat – Përmbauesit Privatë**

Presentation

Generalities

Approx. 39 judicial officers are appointed within approx. 37 offices. They work together with approx. 130 staff.

Training

Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required: degree of a law school, three (3) years of legal experience, enforcement exam passed. This training is not yet compulsory but should be in the future. An ongoing training is available for the judicial officers. This training is compulsory.

Ongoing training for the staff of judicial officers

Ongoing training courses are not available for the staff of judicial officers.

The exercise of the profession

Under exception, a professional exam is necessary to exert the profession of judicial officer. This examination is composed of written and oral testing procedure. If the candidate successfully passes the written testing, he/she can proceed with the oral testing. If successful, the license as a private enforcement agent is granted and then he/she can apply to exercise the function once there is a public call by the Ministry of Justice. The judicial officers are appointed by the Minister of Justice. There is a limited number of judicial officers. The number is determined by the number of populations based on national census, but the number was never filled out since there is not much interest in becoming an enforcement agent. A judicial officer can exert his activities within a structure including another or several other judicial officers. The majority exert their activities in individual offices.

The profession is represented at national level by: **Oda e Përmbauesve Privatë të Kosovës – Chamber of Private Enforcement Agents of Kosovo.**

Obligations of the judicial officer and ethical rules

There are rules relating to ethics and/or deontology applicable to the profession of judicial officer, including respect for the conflict of interest, according to the Law on Contesting Procedure, etc.



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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.
- Evictions.
- 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.
- Physical (as opposed to Internet) forced auction sale of tangible movable goods attached by the judicial officer.
- 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.
- Other: supplementary activities provided for by the law, but never regulated by the Ministry of Justice.

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 cannot serve judicial and/or extrajudicial documents in civil, commercial and/or criminal matters.

Forced public auction sales

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



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- Forced public auction sale of tangible movable goods attached by the judicial officer.
- Forced public auction sale of intangible movable goods attached by the judicial officer.
- Forced public auction sale of immovable attached by the judicial officer.
- Forced auction sale of businesses attached by the judicial officer.

Voluntary public auction sales

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

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

In the case of Kosovo, N/A means many of the activities provided for in the table above are provided by the law, but never regulated/tariffed by the Ministry of Justice.