



Update: May 2023

The Judicial Officer in the World

SLOVAKIA

Name (singular and plural): **Súdny exekútor / Súdni exekútori**

Presentation

Generalities

Approximately 250 judicial officers work in eight districts, which follow the districts of the Appeal Courts. In Slovakia, there is one specialised court that deals with the enforcement agenda, and its proceedings are characterised by a high degree of dematerialisation. Individual enforcement cases are assigned to judicial officers by the court by random selection based on so-called “the district principle”. The random selection rules consider the monetary claim amount and separately delegate maintenance claims and non-monetary obligations. Judicial officers have the status of self-employed professionals. They work together with approximately 150 trainees or assistants and approximately 500 staff members.

Training

Initial and ongoing training of judicial officers

To become a judicial officer, five years of law studies are required. The person must be of a complete legal capacity and integrity. There is initial training for future judicial officers. This training is compulsory. The initial training consists of the practice of law for five years, of which at least three years need to be spent as a judicial officer trainee. For the trainee, it is necessary to pass the professional exam provided by the Chamber and, after the exam, to succeed in the selection procedure conducted by the Ministry of Justice. The ongoing training of judicial officers is compulsory as well. Details on the ongoing training of judicial officers and trainees are regulated by the Chamber's internal regulations. Educational events are provided by the Educational Committee of the Chamber.

Ongoing training for the staff of judicial officers

Ongoing training courses are also available for the staff of judicial officers, provided by the Educational Committee of the Chamber as well.

Exercise of the profession

The professional exam and success in the selection procedure conducted by the Ministry of Justice as stated above are essential conditions for exercising the profession of a judicial officer. The judicial officers are appointed by the Minister of Justice. A judicial officer cannot exert his activities within a structure that includes another judicial officer.

The profession is represented at the national level by the **Slovak Chamber of Judicial Officers**.



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Obligations of the judicial officer and ethical rules

The judicial officer is subject to, including, but not limited, the following obligations relating to his activities:

- Prohibition of service in certain cases.
- Cases and conditions in which the judicial officer must execute his activities personally.
- Obligations concerning the professional activities of the judicial officer.
- Conditions of keeping archives of the judicial officer.
- Bookkeeping.
- Obligation to have an account specifically intended for depositing funds collected on behalf of parties to the proceedings.
- Obligation to respect the tariff that is set forward by law.
- Obligation for the judicial officer to be subject to control of his activities.
- Obligation to comply with ethical and/or deontological rules.
- Professional confidentiality.
- Obligation to take out professional and civil liability insurance.

There are rules relating to ethics and/or deontology applicable to the profession of a judicial officer. Disciplinary rules apply to the profession of a judicial officer. Judicial officers are subject to the disciplinary power of the Supreme Administrative Court of the Slovak Republic.

Activities

Enforcement of court decisions

The judicial officer is in charge of enforcing court decisions, including the following enforcement measures:

- Attachment of tangible property in the hands of the debtor.
- Attachment of tangible property in the hands of a third party.
- Attachment of intangible property.
- Attachment of earnings.
- Attachment of funds owed to the debtor in the hands of a third party.
- Attachment of intangible property other than the funds owed to the debtor.
- Freezing of assets of the debtor.
- Collection of tangible property that should be handed over according to a court decision.
- Attachment of motor vehicles.
- Attachment of ships and vessels.
- Attachment of airplanes.
- Attachment of crops.
- Attachment of property locked in a safe.
- Evictions.
- Provisional measures on the tangible goods of the debtor.
- Provisional measures on the intangible goods of the debtor.
- Setting up a provisional judicial attachment on the intangible property of the debtor.
- Physical (as opposed to Internet) forced auction sale of tangible property attached by the judicial officer in pertinent proceedings.
- Forced public auction sale of tangible property.
- Forced public auction sale of intangible property.
- Forced public auction sale of immovable property.
- Distribution of assets collected during the forced auction sale of tangible property to creditors.



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- Distribution of assets collected during the forced auction sale of immovable property to creditors.

When in charge of enforcement, the judicial officer has access to information on the assets of the debtor. Most of this information can be obtained through electronic communication.

If a maintenance claim is enforced, a non-monetary claim or the debtor does not submit a statement of assets, the judicial officer is entitled to impose a coercive measure:

- Monetary fine.
- Retention of a driver's license.
- Technical means preventing the usage of a good.
- Retention of the vehicle registration certificate.

Service of judicial or extrajudicial documents

The judicial officer can serve judicial documents in civil matters in specific procedural situations. The judicial officer cannot serve extrajudicial documents in civil, commercial, or criminal matters.

Forced public auction sales

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

- In person (as opposed to Internet) auction sale of tangible property attached by the judicial officer;
- In person (as opposed to Internet) auction sale of intangible property attached by the judicial officer;
- In person (as opposed to Internet) auction sale of businesses attached by the judicial officer;
- In person (as opposed to Internet) sale of intangible property attached by the judicial officer;

There is no platform for electronic auctions in Slovakia.

Voluntary public auction sale

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

Other activities (X = Yes)	
Debt collection	
Statements of facts	When required by a natural or legal person only to issue a certificate of non-fulfilment of a non-monetary obligation. This certificate helps the authorised person to initiate enforcement proceedings regarding a non-monetary claim.
Sequestration of goods	
Legal advice	
Bankruptcy proceedings	
Missions entrusted by a judge	X
Mediation	
Representation of parties in the court	
Drawing up of private deeds and documents	
Court service	
Real estate management	