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The Judicial Officer in the World

THAILAND

Name: **เจ้าพนักงานบังคับคดี** (Judicial officer/ Executing officer)

Presentation

Generalities

Approx. 361 judicial officers are appointed within approx. 118 offices. They work together with approx. 386 trainees or assistants and approx. 747 staff. All are civil servants (State employed).

Training

Initial and ongoing training of judicial officers

To become a judicial officer, the following level is required: Four years of law studies or equivalent (Master 1 or equivalent).

There is an initial training for the future judicial officers. This training is normally compulsory. Duration: up to 1 month.

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 available for the staff of judicial officers. This training is organised by "สถาบันพัฒนาการบังคับคดี" (the Legal Execution Professional Academy - LEPA).

The exercise of the profession

No professional exam is necessary to exert the profession of judicial officer. The judicial officers are appointed by a judge. 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. All judicial officers exert within a non-individual structure.

Obligations of the judicial officer and ethical rules

The judicial officer is submitted to the following obligations relating to his activities:

- Compulsory service of the judicial officer and possible cases of exemption of service.
- Conditions of keeping of archives of the judicial officer.
- Obligation to have an account specifically intended for depositing funds collected on behalf of clients of the judicial officer.
- Obligation of counsel towards citizens in the framework of the activities of the judicial officer.
- Obligation to respect the tariff.



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- Obligation to comply with ethical and/or deontological rules.
- Professional secrecy.

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 airplane.
- 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.
- Physical (as opposed to Internet) forced auction sale of tangible movable goods attached by the judicial officer.
- Forced public auction sale of tangible movable goods.
- Forced public auction sale of intangible movable goods.
- Forced public auction sale of immovable.
- Forced public auction sale of immovable property by electronic bidding through "*e-Offering Auction*" system.
- 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 all available information on the assets of the debtor.



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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 (as opposed to Internet) auction sale of tangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) auction sale of intangible movable goods attached by the judicial officer.
- Physical (as opposed to Internet) sale of immovable goods attached by the judicial officer.
- Electronic bidding through "*e-Offering Auction*" system.

Voluntary public auction sales

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

Other activities (X = yes)	
Debt collection	X
Statements of facts	X
Sequestration of goods	X
Legal advice	X
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	
Real estate management	