



## **SPI Albania Project: Improving Auction Procedures for Immovable Collateral under Foreclosure**

### **Note on the international experience on the bailiff service**

Based on the information presented in the annexes of EURALIUS STUDY ON THE PRIVATISATION OF THE ENFORCEMENT SERVICE IN ALBANIA, SPI Secretariat performed an analysis on the international experience on the bailiff service in some countries: Czech Republic, France, Greece, Holland, Hungary and Poland.

The main findings of this analysis are presented below. The table in annex details all the legal provisions in selected countries.

<b>Area</b>	<b>Findings</b>
<b>Bailiff's competences</b>	The most common bailiff's competences refer to enforcement of court decisions and executive titles, notifications for different acts, selling in auctions. Preparation of reports and credit collection are quite spread among bailiffs' practice. Evaluations, legal advice and hearing in courts are not very spread.
<b>Legal status</b>	In all targeted countries, the bailiffs are independent professionals who can perform their activities in a free way, but with very in detail regulated profession and hiring procedures. In the major part of the countries they have ethical, disciplinary and professional rulings. In all cases they are appointed by the Minister of Justice, but only in some cases they might be public ministerial employees.
<b>Organization</b>	In all researched countries, bailiff can exercise his profession individually but in some cases they can also exercise profession in professional associations. In all the cases they have a national professional organization. Generally, bailiffs use additional staff in performing their duties and there is a national coverage of the bailiff service. In most cases, bailiffs have territorial limited competencies.
<b>Eligibility</b>	Generally there are very high professional and moral standards in order to qualify as a bailiff. Previous experience in a bailiff office and professional exams are a must. The major part of the countries has created facilities for continuous professional training and the trend is to make it obligatory. In some case the bailiffs are required to produce evidence on their financial capability to exercise profession. In all cases, bailiffs are appointed by the Minister of Justice.
<b>Enforcement of court decisions</b>	Bailiffs are in all countries in charge with the enforcement of court decisions.
<b>Assignment of cases</b>	In all targeted countries with one exception the creditor can choose the bailiff. In part of the cases, the choice is limited by the territorial competencies.

<b>Enforcement of debtor's properties</b>	In all countries the bailiff can apply obligatory enforcement on movable, immovable, physical and unphysical properties of the debtor. In some countries the bailiff can apply conservative seizure (in one case an hierarchy is provided).
<b>Responsibility for enforcement</b>	In 3 out of 6 analyzed cases, bailiff has clearly the entire responsibility of the process. Czech case is relevant, as now the judge has to authorize all bailiffs' actions, but the reform undertaken will bring freedom to the bailiff. An opposite case is Poland, where the creditor has the leading part.
<b>Right to collect information on debtor's assets</b>	Yes, the bailiff has access to different/all kind of information on the debtor
<b>Remuneration</b>	In all cases, the debtor pays for enforcement expenses. If the bailiff is executing and the debtor is not able to pay, then the creditor pays.
<b>Obligation to notify</b>	Yes
<b>Notification procedure</b>	In most of the cases, notification can be done in various ways: physically to debtor or to family, friend, neighbours, employees, by mail, posted on the addressee's door, published in the newspapers, left with the municipality, police or prosecutor offices.
<b>Juridical validity of a notification</b>	In order to give juridical validity of a notification, the bailiff has to keep a record on the notification. The notification is valid unless mistakes are proven.
<b>Application of regulations (CE) n°1348/2000 of the Council on notifications for juridical or non-juridical acts in civil and commercial matters?</b>	The judicial officers in these countries do not yet proceed according to the regulations (CE) n°1348/2000 of the Council on notifications for juridical or non-juridical acts in civil and commercial matters.
<b>Credit collection by bailiff</b>	In half of the sample countries the bailiff can collect credits through voluntary and obligatory execution.
<b>Addressing credit collection requests</b>	In the countries allowing bailiffs to collect credits, the client can approach directly the bailiff. As a rule, the bailiff first attempts to apply voluntary enforcement.
<b>Cost of credit collection</b>	The cost for collecting credits is paid by the creditor. Fee system differs from country to country.
<b>Right to sell in auction</b>	The bailiff sells in auction, in some countries only for obligatory purposes only.
<b>Other competencies</b>	In major part of analyzed countries the bailiff prepares reports. Providing legal representation for parties is either forbidden or allowed only in some cases (mostly related to enforcement). Providing legal advice is forbidden in some countries and allowed in others, but in some of the latest cases limited to the execution process. In most analyzed countries, the bailiff is not allowed to have other functions.

Comparative table on the international experience on the bailiff service

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>	<b>I. Introduction</b>					
<b>Bailiff's competences</b>	<ul style="list-style-type: none"> <li>-Enforcement of court decisions</li> <li>-Notifications during enforcement procedure</li> <li>-Selling properties</li> </ul>	<ul style="list-style-type: none"> <li>- Enforcement of court decisions and other executive titles</li> <li>-Notifications on different acts</li> <li>-Preparation of reports</li> <li>-Credit collection</li> <li>- Evaluations and auctions of the things</li> <li>-Hearing in the courts</li> </ul>	<ul style="list-style-type: none"> <li>-Enforcement of court decisions and other executive titles</li> <li>-Notifications for different legal and other acts</li> </ul>	<ul style="list-style-type: none"> <li>- Enforcement of court decisions and other executive titles</li> <li>-Notifications for different legal and other acts</li> <li>-Preparation of reports</li> <li>-Voluntary and forced credit collection</li> <li>-Selling things in auctions</li> </ul>	<ul style="list-style-type: none"> <li>-Enforcement of court decisions and other executive titles</li> <li>-Notifications for different acts</li> <li>-Preparation of reports</li> <li>-Voluntary and forced credit collection</li> <li>-Selling things in obligatory or voluntary auctions</li> <li>-Providing legal advice</li> </ul>	<ul style="list-style-type: none"> <li>-Enforcement of court decisions and other executive titles</li> <li>-Notifications for different acts</li> <li>-Preparation of reports more rarely</li> <li>-Voluntary and forced credit collection</li> <li>-Selling things in obligatory or voluntary auctions</li> <li>-Seize things</li> <li>-No legal representation of clients</li> </ul>
<p><b>Conclusions: the most common bailiff's competences refer to enforcement of court decisions and executive titles, notifications for different acts, selling in auctions. Preparation of reports and credit collection are quite spread among bailiffs' practice. Evaluations, legal advice and hearing in courts are not very spread.</b></p>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Legal status</b>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> <li>-Ethical, disciplinary and professional rulings and therefore sign a guarantee.</li> </ul>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Public ministerial employees</li> <li>-Appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> <li>-Ethical, disciplinary and professional rulings and therefore sign a guarantee</li> </ul>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> <li>-Ethical, disciplinary and professional rulings and therefore sign a guarantee</li> <li>-Number of court bailiffs is not limited</li> </ul>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> <li>-Ethical, disciplinary and professional rulings and therefore sign a guarantee</li> </ul>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> </ul>	<ul style="list-style-type: none"> <li>-Independent professionals</li> <li>-Freedom in exercising their functions</li> <li>-Public ministerial employees appointed by the Minister of Justice</li> <li>- Regulated profession and the hiring procedures</li> <li>-Ethical, disciplinary and professional rulings and therefore sign a guarantee</li> <li>- No. of bailiffs is limited.</li> </ul>
<p><b>Conclusions: In all targeted countries, the bailiffs are independent professionals who can perform their activities in a free way, but with very in detail regulated profession and hiring procedures. In the major part of the countries they have ethical, disciplinary and professional rulings. In all cases they are appointed by the Minister of Justice, but only in some cases they might be public ministerial employees.</b></p>						

Country	Czech	France	Greece	Holland	Hungary	Poland
Criteria						
<b>Organization</b>	<ul style="list-style-type: none"> <li>-113 bailiffs, from which 30 women</li> <li>-Additional staff</li> <li>-Individual exercise of profession</li> <li>- National territorial coverage</li> <li>-National competencies</li> <li>-Professional organization</li> </ul>	<ul style="list-style-type: none"> <li>-3250 bailiffs, from which 690 women.</li> <li>-Additional staff</li> <li>-Individual or in professional associations</li> <li>exercise of profession</li> <li>-Limited territorial competencies (place of residence)</li> <li>-Professional organization</li> </ul>	<ul style="list-style-type: none"> <li>-2100 court bailiffs, from which 800 women.</li> <li>-No additional staff</li> <li>-Individual exercise of profession</li> <li>- Limited territorial coverage (court of appeal)</li> <li>-Professional organization</li> </ul>	<ul style="list-style-type: none"> <li>-300 judicial officers, from which 63 women.</li> <li>-Additional staff</li> <li>-Individual or in societies exercise of profession</li> <li>-National competencies</li> <li>-Professional organization They have</li> </ul>	<ul style="list-style-type: none"> <li>-203 bailiffs, from which 11 women.</li> <li>-Additional staff</li> <li>-Individual or in professional associations or in companies</li> <li>exercise of profession</li> <li>- National competencies, with some exceptions</li> <li>-Professional organization</li> </ul>	<ul style="list-style-type: none"> <li>-585 bailiffs, 30 % of which are women.</li> <li>-Additional staff</li> <li>-Individual exercise of profession</li> <li>-Limited territorial competencies (place of residence)</li> <li>-Professional organization</li> </ul>
<p><b>Conclusions: In all researched countries, bailiff can exercise his profession individually but in some cases they can also exercise profession in professional associations. In all the cases they have a national professional organization. Generally, bailiffs use additional staff in performing their duties and there is a national coverage of the bailiff service. In most cases, bailiffs have territorial limited competencies.</b></p>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Eligibility</b>	<ul style="list-style-type: none"> <li>-Czech nationality</li> <li>-Excellent moral image</li> <li>-University degree in justice</li> <li>-Previous experience in a bailiff's office (3 years)</li> <li>-Professional exam</li> <li>-Appointed by the Minister of Justice</li> </ul>	<ul style="list-style-type: none"> <li>-French nationality</li> <li>-Excellent moral image</li> <li>-University degree (4 years) in law</li> <li>-Previous experience in a bailiff's office (2 years)</li> <li>-Professional exam</li> <li>-Appointed by the Minister of Justice</li> <li>-Office needed</li> <li>-Continuous professional training</li> </ul>	<ul style="list-style-type: none"> <li>-Greek nationality</li> <li>-No university degree</li> <li>-Previous experience in a bailiff's office (1 year)</li> <li>-3 months seminar</li> <li>-Professional exam</li> <li>-Appointed by the Minister of Justice</li> <li>-Continuous professional training</li> </ul>	<ul style="list-style-type: none"> <li>-Dutch nationality - Excellent moral image</li> <li>-University degree in law</li> <li>-Previous experience in a bailiff's office (4 years)</li> <li>-2 years candidateship to become judicial officers.</li> <li>-Financial plan in order to evaluate if the office will be viable.</li> <li>-Appointed by the Minister of Justice.</li> <li>-Continuous professional training (will become obligatory)</li> </ul>	<ul style="list-style-type: none"> <li>-Hungarian nationality</li> <li>-Excellent moral image</li> <li>-University degree (4 years) in law</li> <li>-Previous experience in a bailiff's office (2 years)</li> <li>-Appointed by the Minister of Justice</li> <li>-One year in a bailiff office</li> <li>- Annual obligatory professional</li> </ul>	<ul style="list-style-type: none"> <li>-Polish nationality</li> <li>-University degree (5 years) in law</li> <li>-Previous experience in a bailiff's office (2 years)</li> <li>-Professional exam for competing for a vacancy</li> <li>-Appointed by the Minister of Justice</li> </ul>
<p><b>Conclusions: Generally there are very high professional and moral standards in order to qualify as a bailiff. Previous experience in a bailiff office and professional exams are a must. The major part of the countries has created facilities for continuous professional training and the trend is to make it obligatory. In some case the bailiffs are required to produce evidence on their financial capability to exercise profession. In all cases, bailiffs are appointed by the Minister of Justice.</b></p>						

Country	Czech	France	Greece	Holland	Hungary	Poland
Criteria						
<b>II. Enforcement of justice decisions</b>						
<b>Enforcement of court decisions</b>	<b>Bailiffs</b> (free professionals) and by court clerks. The creditor can request one or the other to enforce.	Only the <b>bailiffs</b> can enforce justice decisions and other executive titles. Only they are entitled to apply obligatory executions and conservative seizing.	Court decisions and other executive titles are enforced by <b>court bailiffs</b> . They can apply conservative measures.	Only the <b>judicial officers</b> can enforce justice decisions and other executive titles. Only they are entitled to apply obligatory obstructive measures within the obligatory execution procedures.	Only the <b>bailiffs</b> can enforce justice decisions, and other executive titles. Only they are entitled to apply obligatory execution.	Only the <b>bailiffs</b> can enforce justice decisions. Only they are entitled to apply obligatory obstructive measures.
<b>Conclusion: Bailiffs are in all countries in charge with the enforcement of court decisions.</b>						
<b>Assignment of cases</b>	Upon creditor's choice	Upon creditor's choice and according to territorial competency	Upon creditor's choice and according to territorial competency	Upon creditor's choice As the judicial officers are part of a net, the local judicial officers deal with the obligatory execution.	The respective courts distribute the files to the bailiffs at the execution places by lot.	Upon creditor's choice and according to territorial competency
<b>Conclusions: In all targeted countries with one exception the creditor can choose the bailiff. In part of the cases, the choice is limited by the territorial competencies.</b>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Enforcement of debtors' properties</b>	The bailiff can apply the obligatory enforcement on movable, immovable, physical and unphysical properties of the debtors.	The bailiff can apply the obligatory enforcement on movable, immovable, physical and unphysical properties of the debtors. He can apply conservative seizing.	The court bailiff can apply the obligatory enforcement on movable, immovable, physical and unphysical properties of the debtors.	The judicial officer can apply the obligatory enforcement on movable, immovable, physical and unphysical properties of the debtors. He can apply conservative seizure.	The bailiff must apply the hierarchy of the execution procedures: 1. Seizure of the bank accounts 2. Seizure of salary 3. Seizure of movable things 4. Seizure of immovable things	The bailiff can apply the obligatory enforcement on movable, immovable, physical and unphysical properties of the debtors.
<b>Conclusions: In all countries the bailiff can apply obligatory enforcement on movable, immovable, physical and unphysical properties of the debtor. In some countries the bailiff can apply conservative seizure (in one case an hierarchy is provided).</b>						
<b>Responsibility for enforcement</b>	Bailiff's actions to be authorized by the judge. Slow system. Reform on the way to give freedom to the bailiff's actions. In case the court clerk is enforcing, the judge leads the process.	The bailiff is responsible for the whole enforcement process. He has the competencies to request the execution judge or prosecutor to issue authorizations or to prescribe the necessary measures.	The court bailiff is responsible for all actions during the enforcement procedures in close cooperation with his client.	The judicial officer in charge is responsible for the whole process. If needed, he asks for the assistance of the police.	The bailiff must respect the civil procedures of execution. He can ask the competent judge to give authorizations or clarifications on the file. In difficult cases, the bailiff keeps a record and brings it to the respective judge.	The creditor approves the execution procedures, but always after the advice of the bailiff.
<b>Conclusions: In 3 out of 6 analyzed cases, bailiff has clearly the entire responsibility of the process. Czech case is relevant, as now the judge has to authorize all bailiff's actions, but the reform undertaken will bring freedom to the bailiff. An opposite case is Poland, where the creditor has the leading part.</b>						



Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Right to collect information on debtors' assets</b>	-Yes, from different institutions: tax office, office for registration of immovable properties, banks, insurance companies, etc. -Professional secret -Use information for enforcement purposes only	Yes, but only related to: address and bank accounts of the debtor or his employer, vehicle and properties registration offices.	Yes, all kinds of information from different institutions and offices, such as: office for registration of immovable properties, vehicles, etc.	Yes, from the civil and properties' registry, on immovable and movable properties, on vehicles, person's identity, etc.	Yes. The bailiff can check the registers of all institutions in Hungary, except the mobile phone companies. He has direct access electronically to the information.	Yes. The bailiff can check the addresses', vehicles' and cadastre registers.
<b>Conclusions: Yes, the bailiff has access to different/all kind of information on the debtor</b>						
<b>Remuneration</b>	-The debtor pays for the enforcement expenses. -If the bailiff is executing and the debtor is not able to pay, then the creditor pays.	The debtor pays for the enforcement expenses. If he is not able to pay, then the creditor pays a fee related to the amount collected.	The debtor pays for the enforcement expenses. If the execution fails, then the creditor pays. There are fixed fees for enforcement procedures.	The debtor pays for the enforcement expenses. In case of unsuccessful execution, then the creditor pays.	The debtor pays for the enforcement expenses. If he is not able to pay, then the creditor pays.	The debtor pays for the enforcement expenses. If he is not able to pay, then the creditor pays.
<b>Conclusions: In all cases, the debtor pays for enforcement expenses. If the bailiff is executing and the debtor is not able to pay, then the creditor pays.</b>						

Country	Czech	France	Greece	Holland	Hungary	Poland
Criteria						
<b>III. Notification of acts</b>						
<b>Obligation to notify</b>	Yes.	Yes..	Yes.	Yes.	Yes.	Yes.
<b>Notification procedure</b>	-Handing out to the addressee or left to a person present in the family or in the place of execution by the bailiff himself	-Handing out to the addressee from the bailiff or his assistant in some cases. - Copy also to a person present in the family (relative, friend, etc.). -If no one can take the act, it is left at the municipality. -A notification letter is left at the debtor's domicile. -Record on the failure of the notification -Mail to the last known address a simple letter and another one as recommendatory mail, asking for receipt.	-Handing out to the addressee or left to a person present in the family, friend, employee, etc. by the bailiff himself -In this case, a notice is stuck on the house door of the addressee, another one is delivered in a sealed envelope through the post office to the work place and a copy is left to the local police office. -If the addressee is absent, one notification is left to the state prosecutor office and two others are published in newspapers.	-Handing out physically by the judicial officer or his assistant to the debtor or to another person present in the family or in the work place. If no one can take the act, it is left in a sealed envelope at the debtor's house. If the addressee is absent, a notification shall be published in the newspaper.	-Handing out to the addressee or left to a person present in the family or to an authorized person by the bailiff himself If no one can take the act, during execution procedures, the bailiff sticks to the addressee door an invitation to go to his office. Also a letter is delivered through the post office. In other cases (not during execution) the bailiff shall try once again to notify the addressee.	-Handing out to the addressee or left to a person present in the family (relative, friend) or at work place or neighbour. by the bailiff himself If no one can take the act, a notification is left for the addressee to go to the bailiffs' office. The addressee might be invited also through a public visible notification in newspapers or at the municipality to come and take the notification (or to be informed).
<b>Conclusions: In most of the cases, notification can be done in various ways: physically to debtor or to family, friend, neighbours, employees, by mail, posted on the addressee's door, published in the newspapers, left with the municipality, police or prosecutor offices.</b>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Juridical validity of a notification</b>	The bailiff shall take a record on the notification which has an official value and certifies the receipt of the act and the conditions of the delivery.	The form of the bailiffs' act is very important and solemn. The bailiff keeps a record on the circumstances of sending the notification of an act, which shall remain in force until it is proved that there are possible mistakes.	The court bailiff shall take a record on the notification which has an official value and it shall remain in force until it is proved that there are possible mistakes.	The report of the judicial officer has official value and shall remain in force until it is proved that there are possible mistakes.	The bailiff keeps a record on the notification, which is considered as official.	The bailiffs' notifications are considered as authentic and are of official nature.
<b>Conclusions: In order to give juridical validity of a notification, the bailiff has to keep a record on the notification. The notification is valid unless mistakes are proven.</b>						
<b>Application of regulations (CE) n°1348/2000 of the Council on notifications for juridical or non-juridical acts in civil and commercial matters?</b>	No.	The bailiff is an entity of origin. The National Chamber of the Bailiffs is the competent entity to make notifications for acts of the bailiffs having the territorial competencies.	No. Acts are notified by a servile of the Ministry of Justice.	The judicial officer is an entity of origin (in charge to deliver documents to other EU member states) and required (in charge to carry out notification of acts coming from other EU member states). KBvG is a central entity.	Not yet.	Not yet.
<b>Conclusions: The judicial officers in these countries do not yet proceed according to the regulations (CE) n°1348/2000 of the Council on notifications</b>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>	<b>for juridical or non-juridical acts in civil and commercial matters.</b>					
<b>IV. Collection of credits</b>						
<b>Credit collection by judicial officers</b>	No.	Yes. The bailiff can apply voluntary or obligatory execution in collecting all kinds of credits.	No.	Yes. This activity is very developed in Holland. It constitutes 40 - 50% of the judicial officers' total activities.	Yes. The bailiff can apply voluntary or obligatory execution in collecting all kinds of credits.	No.
<b>Conclusions: In half of the sample countries the bailiff can collect credits through voluntary and obligatory execution.</b>						
<b>Addressing the credit collection request</b>		Directly by the client. First, it will be attempted to apply voluntary enforcement. In case of failure, he shall ask for an execution order which entitles him to start obligatory execution.		Directly by the client. First, he will attempt to apply voluntary enforcement. In case of failure, he tries to get issued an executive title in order to start the obligatory execution.	Directly by the client. First, it will be attempted to apply voluntary enforcement. In case of failure, he shall try to have an execution order to start the obligatory execution.	
<b>Conclusions: In the countries allowing bailiffs to collect credits, the client can approach directly the bailiff. As a rule, the bailiff first attempts to apply voluntary enforcement.</b>						

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>Cost of credit collection</b>		The costs shall be paid by the creditor. The remuneration is related to the collected amount.		The costs shall be paid by the creditor. The judicial officer and his client can reach an agreement on the respective remuneration.	The costs shall be paid by the creditor. The remuneration shall be fixed in agreement with the client in cases of voluntary credit collection. For obligatory executions the fees are fixed.	
<b>Conclusions: The cost for collecting credits is paid by the creditor. Fee system differs from country to country.</b>						
<b>V. Other competencies of the judicial officer</b>						
<b>Right to sell in auction</b>	Yes. The bailiff sells in auction only for obligatory execution purposes.	Yes. The bailiff seizes and sells in auction things that do not need an evaluator. This is a very important procedure for many bailiffs.	Yes. The court bailiff sells in auction only for obligatory execution purposes. He cannot sell in voluntary auctions.	Yes. The judicial officer can sell things in public juridical auctions or in voluntary auctions.	Yes. The bailiff sells in auction. He can sell in voluntary or obligatory auctions during execution.	Yes. The bailiff seizes and sells in auction different things within the voluntary or obligatory execution.
<b>Conclusion: The bailiff sells in auction, in some countries only for obligatory purposes only.</b>						
<b>Preparation of</b>	No.	Yes. Reports are	No.	Yes. Preparing	Yes. The bailiff	Yes, but it is not

Country	Czech	France	Greece	Holland	Hungary	Poland
<b>Criteria</b>						
<b>reports/certificates</b>		prepared very often and are a very important part of the activities of many bailiffs.		reports/certificates constitutes 2 - 3% of the total activities of the judicial officers.	prepares reports in special cases if requested by the judge.	practiced.
<b>Legal representation of parties</b>	Yes, but only during the process of requesting authorization to proceed with enforcement with revised measures (in case of appeal).	Yes. The bailiff can represent the parties in trials in some cases, i.e. in the commercial matters court, in the salaries seizure courts, in front of the execution judge	No.	Yes. The judicial officer represents the parties in trials for obligations amounting up to 5000 Euro.	No, but the bailiff presents a request to the respective judge for issuing an execution order.	No.
<b>Legal advice provision</b>	Yes, but only within the execution process	Yes. The bailiff has the same level of juridical competencies as an attorney, notary or magistrate.	No.	Yes.	Yes, but only within execution procedures.	No.
<b>Other functions</b>	No.	The bailiff offers to the client private services at the courts.	No.	No.	No.	No.
<b>Conclusions: In major part of analyzed countries the bailiff prepares reports. Providing legal representation for parties is either forbidden or allowed only in some cases (mostly related to enforcement). Providing legal advice is forbidden in some countries and allowed in others, but in some of the latest cases limited to the execution process. In most analyzed countries, the bailiff is not allowed to have other functions.</b>						