

## SERVICE OF LEGAL DOCUMENTS IN FRANCE

The Code of Federal Regulations (Title 22, Section 92.85) prohibits Foreign Service Officers from serving judicial documents or appointing others to do so.

There are three ways of serving legal documents in France:

### 1. Service pursuant to The Hague Convention of 1965

France and the United States are signatories to The Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters (20 UST 361; TIAS 6638). The Convention provides for service of process by a Central Authority which in France is the Ministry of Justice.

How to request Service:

A request for service in France should be prepared on form LLA-116 or USM-94, "Request for Service Abroad of Judicial or Extra-Judicial Documents." This form is available from any U.S. Marshal's office. There are 94 such offices located in larger U.S. cities and their location can be obtained from:

Office of Public Information  
U.S. Marshal Service  
600 Army Drive  
Arlington, VA 22202  
<http://www.usmarshals.gov/process/index.html>  
<http://www.usmarshals.gov/forms/usm94.pdf>  
<http://www.usmarshals.gov/contacts/>  
Tel: (202) 307-9110

The form is in three parts: A request for service abroad, a summary of the documents to be served, and a certificate of service. The form should be completed in duplicate and sent with the judicial documents, also in duplicate, to the French Central Authority at the following address:

Ministère de la Justice  
Bureau de l'Entraide Judiciaire Internationale  
13, place Vendôme  
75042 Paris Cedex 01  
France  
Tel: 33-1-44-77-61 05 – Fax: 33-1-44 77 61 22  
E-mail: [entraide-civile-internationale@justice.gouv.fr](mailto:entraide-civile-internationale@justice.gouv.fr)  
[www.justice.gouv.fr/](http://www.justice.gouv.fr/)  
[www.entraide-justice-civile-internationale.justice.gouv.fr/](http://www.entraide-justice-civile-internationale.justice.gouv.fr/)

The convention requires that the request form be in either English or French. The form is available in a bilingual format, but French authorities are reluctant to accept a form completed in English only. For practical reasons, it is recommended that the completed form be accompanied by a French translation of the request, summary and certificate of service part of the form. The translation does not have to be certified.

Upon receipt of a request, the French Central Authority refers it to the appropriate "Procureur Général" (the equivalent of a U.S. District Attorney) who assigns it to the

local police for service. There is no charge for service if made through the French Central Authority and no charge for the return of a certificate for service. This process takes several weeks.

## **2. Optional means of service:**

The French Ministry of Justice has no objection to service being made by a French “huissier” (an official process server licensed by the government). A fee will be charged at rates set by the government. Addresses can be obtained by writing to:

Chambre Nationale des Huissiers de Justice  
Service des Actes Internationaux  
447, rue de Douai  
75009 Paris, France  
Tel : 33-1-49 70 12 90 – Fax : 33-1-40 16 99 35  
[cnhj@huissier-justice.fr](mailto:cnhj@huissier-justice.fr)  
[www.huissier-justice.fr](http://www.huissier-justice.fr)

The Huissier who has served process and who must have his signature notarized before a U.S. consular officer can come at the U.S. Embassy or consulate to do so. There is a fee for notarization. Location of U.S. consular offices in France are as follows:

American Embassy Office of American Services  
2, avenue Gabriel  
75382 Paris Cedex 08  
Tel: (33) 1 43 12 22 22

American Consulate General  
12, boulevard Paul Peytral  
13286 Marseille  
Tel: (33) 4 91 54 92 00

American Consulate General  
15, avenue d’Alsace  
67082 Strasbourg  
Tel: (33) 3 88 35 31 04

## **3. Voluntary acceptance of service:**

In cases where the party in France is cooperative, such as uncontested divorces, the document may be mailed directly to the party. The party can appear before a U.S. consular officer to execute the affidavit contained in the document packet waiving service and acknowledge receipt of the document.

**United States Embassy**  
*American Citizen Services*  
4, avenue Gabriel  
75382 Paris Cedex 08  
France  
Telephone: 01 43 12 22 22  
Website: <http://france.usembassy.gov>  
E-mail: [citizeninfo@state.gov](mailto:citizeninfo@state.gov)