

LEGAL AID IN NATIONAL LAWS: France

France

<p>Is legal aid available? Who is eligible for it?</p>	<p>Legal aid is available to anyone who satisfies the requirements of the Legal Aid Act (No. 91-647 of 10 July 1991) and Decree No. 91-1266 of 18 December 1991, be it for civil, administrative or criminal proceedings.</p>
<p>What is the criteria to be eligible for legal aid?</p>	<ul style="list-style-type: none">• A claimant's resources for the calendar year preceding the claim (excluding family allowances and certain welfare benefits) must not exceed a certain threshold set by statute each year. There is a sliding scale of support if this requirement is satisfied, with those claimants with fewer resources receiving a higher level of aid.• Subject to the below exception, a claimant must be a French national, citizen of the EU or a foreign national habitually lawfully residing in France. A claimant is also entitled to legal aid for a case in the French court if, despite being a foreign national not residing in France, they are a national of a State that has an international or bilateral agreement with France giving entitlement to legal aid.• In exceptional circumstances, residence may not be compulsory where the claimant's action is particularly worthy of interest given its subject matter and likely cost.• The action must not be manifestly inadmissible or devoid of substance.

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<p>Where can you file the application for legal aid?</p>	<p>The claimant must fill in form number n° 15626*01, which is available online (see link below) or in hard copy at the town hall or the court.</p> <p>https://www.formulaires.modernisation.gouv.fr/gf/cerfa_15626.do</p> <p>A guide to filling in the form and steps that should be taken prior to filing the request is available (link below). This guide also details where an application for legal aid should be filed, which will depend on the stage at which the proceedings of the claimant is in and before which court proceedings are taking place.</p> <p>https://www.formulaires.modernisation.gouv.fr/gf/getNotice.do?cerfaNotice=52133&cerfaFormulaire=15626</p> <p>Under certain circumstances, the claimant may also have to fill in a form confirming that the action is not otherwise covered by an insurer.</p>
<p>What expenses are covered?</p>	<p>Legal aid in France takes two forms. <i>L'aide juridictionnelle</i> provides financial aid for court proceedings as well as out of court settlement proceedings. <i>L'accès au droit</i> entitles the recipient to free assistance from an <i>avocat</i> (advocate) or other legal practitioner in the form of information, guidance or legal consultations.</p> <p>Legal aid will either cover 100% of the costs or, if the claimant is only partially covered by legal aid, the costs of lawyers according to the rate of aid which has been accorded. For those partially covered, satellite costs to litigation such as expertise or reports are entirely covered by the state.</p>
<p>Is there freedom to choose a lawyer?</p>	<p>Yes, a claimant can also choose other professional help such as experts or bailiffs.</p>
<p>Further information</p>	<p>https://www.service-public.fr/particuliers/vosdroits/F18074</p>