



Lawyers training systems in the EU

France

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DESCRIPTION OF THE NATIONAL TRAINING SYSTEM FOR LAWYERS in France

1. Access to the Profession

Higher education / university education	YES
A law degree is compulsory	<p>YES</p> <p>A Master in law or equivalent is a prerequisite to becoming a lawyer</p> <p>Legal basis: In French: Arrêté du 25 novembre 1998 fixant la liste des titres ou diplômes reconnus comme équivalents à la maîtrise en droit pour l'exercice de la profession d'avocat and Arrêté du 21 mars 2007</p>
Steps to becoming a fully-fledged lawyer:	<ul style="list-style-type: none"> • Nationality requirement (French nationality, national of one of the Member States of the EU, of a State under the Agreement on the European Economic Area, national of a State or territorial unit that does not belong to the EU or to the EEA and which allows French citizens to practice the profession under the same conditions applying to interested persons intending to practice in France, or having refugee status or status of stateless person recognised by the French Office for Protection of Refugees and Expatriates (OFPRA) • Academic degree requirement: holding a Master 1 in Law or equivalent and holding a CAPA certificate of aptitude for the profession of lawyer (<i>certificat d'aptitude à la profession d'avocat</i>)

- **Moral character requirement:** candidates must not have been convicted of a criminal offence or have any disciplinary penalties imposed on them or be personally bankrupt or have other types of sanctions imposed on them
- **Register with the Bar:**
 - Successfully pass the final CAPA examination
 - After successfully passing the final CAPA examination, the trainee lawyer must take an oath and register with the list of practising lawyers of the Bar where he wishes to practice law (see article 101 [décret du 27 novembre 1991](#)).

Legal basis (in French):

[Loi n° 71-1130 du 31 décembre 1971 portant réforme de certaines professions judiciaires et juridiques](#)

[Décret n° 91-1197 du 27 novembre 1991. organisant la profession d'avocat](#)

Alternative routes to the profession:

Certain categories of professionals, according to the activities previously carried out as referred to in articles 97 and 98 of the No 91-1197 decree ([décret n° 91-1197 du 27 novembre 1991 organisant la profession d'avocat](#))

- are exempted from the requirement of holding a degree under article 11 par. 2 of the aforementioned law of 31 December 1971 ([article 11 \(2°\) de la loi du 31 décembre 1971](#)), of training requirements, of the certificate of aptitude for the profession of lawyer (avocat):

1° Members and former members of the French Council of State (*Conseil d'État*) as well as members and former members of the Administrative Courts and the Administrative Courts of Appeal;

2° Judges and former judges of the Court of Auditors, or Regional Audit Chambers of French Polynesia and New Caledonia;

3° Judges and former judges of the judiciary governed by Decree No 58-1270 ([Ordonnance n° 58-1270 du 22 décembre 1958 portant loi organique relative au statut de la magistrature](#));

4° University professors teaching law;

5° Attorneys at the Council of State and Court of Cassation;

6° Former lawyers with rights of audience at the Court of Appeal;

7° Former lawyers registered with the French Bar and former Legal Advisors:

- the following categories are exempted from the requirement of theoretical and practical training and of holding a certificate of aptitude for the profession of lawyer (*avocat*):

1° Notaries, bailiffs, registrars at the Commercial Courts, judicial administrators and official receivers for recovery and liquidation of companies, former liquidators and judicial administrators, intellectual property counsellors and former counsellors in patents for invention who have exercised their duties for a period of at least five years;

- 2° University lecturers, teaching assistants and persons holding teaching posts, in case they hold a PhD degree in law, economic sciences or management, with a demonstrated five years of legal lecturing under the abovementioned titles in teaching and research Units;
- 3° Company lawyers demonstrating at least eight years of professional practice with a legal service department of one or more companies;
- 4° Civil servants and category A former civil servants, or persons treated as civil servants of this category who have practised law for at least eight years in a public administrative or service, or an international organisation;
- 5° Legal attachés with a trade union organisation exercising legal activities for a period of at least eight years;
- 6° Salaried solicitors working for a lawyer (*avocat*), an association or a law firm, for a practising lawyer office or a lawyer with an attorney at the Council of State and Court of Cassation, with demonstrated experience of practising law for at least eight years, after having obtained the title or degree cited in the abovementioned article 11 par. 2 of the law of 31 December 1971.
- 7° Persons mentioned in article 22 of the law No. 2011-94 of 25 January 2011 ([article 22 de la loi n° 2011-94 du 25 janvier 2011 portant réforme de la représentation devant les cours d'appel](#));
- 8° Collaborators of deputies or Assistants to Senators having practised as a main profession, legal activities with an executive status for at least eight years;

2. Training during induction period

Is there an induction period?	YES	<p>Legal basis (in French): Decree no. 91-1197 of 27 November 1991 organising the profession of lawyers Décret n° 91-1197 du 27 novembre 1991 organisant la profession d'avocat</p>
Compulsory	YES	<p>Set length: Training at the CRFPA (Regional Bar Schools) is spread over 18 months</p>
Types of structures responsible for organising induction training		<ul style="list-style-type: none"> Regional Bar Schools (<i>École d'avocats – EDA</i>) (former name : Regional Centre for the Professional Training of Lawyers <i>CRFPA –Centre Régional de Formation Professionnelle des Avocats</i>) Conseil National des Barreaux (National Council of the French Bars) <p>Legal basis (in French): Article 13 et article 21-1 de la loi du 31 décembre 1971 portant réforme de certaines professions judiciaires et juridiques</p>

Form of induction training	<ul style="list-style-type: none"> • Courses at CRFPA (See above, <i>École d'avocats</i> – EDA) • Internship (jurisdictions, companies) • Master 2 Course • Internship with a law firm (for more details, see below, Section “induction period divided into different stages”) 	
Entrance exam / check before induction period	YES	<p>CRFPA Entrance examination</p> <p>Legal basis (in French): article 57 du décret n°91-1197 du 27 novembre 1991 et arrêté du 11 septembre 2003 fixant le programme et les modalités de l'examen d'accès au CRFPA</p>
Set curriculum during induction period	YES	<p>Decree no. 91-1197 of 27 November 1991 organising the profession of lawyers, sub-section 3, article 57 (sous section 3 du décret n° 91-1197 du 27 novembre 1991, notamment article 57).</p> <p>Six-month initial training – main topics:</p> <p>Professional ethics, drafting legal acts, oral pleading and debate, proceedings, law office management, a modern foreign language.</p>
Specificities regarding EU law and linguistic training:	<p>YES</p> <p>Linguistic training: The CRFPA entrance examination includes an oral test in one of the modern foreign languages listed in the annex of the Order of 11 September 2003 regarding the programme and modalities on the CRFPA Entrance examination (Arrêté du 11 septembre 2003 fixant le programme et les modalités de l'examen d'accès au centre régional de formation professionnelle d'avocats)</p> <p>EU law training: Article 57 of the Decree no. 91-1197 of 27 November 1991 (décret n° 91-1197 du 27 novembre 1991), EU law is not mentioned as being part of the basic common training. However, the Order of 7 December 2005 (Arrêté du 7 décembre 2005 fixant le programme et les modalités de l'examen d'aptitude à la profession d'avocat) stipulates that:</p>	

	<ul style="list-style-type: none"> - the programme stated in the annex of the Decree expressively states “Community law and European law” (Institutional law/ Substantive law of the EU). - The entrance exam must include an oral exercise of 15 minutes, following a three-hour preparation on a case of civil, commercial, social, criminal, administrative or community law of the candidate’s choice (<i>“coefficient 2”</i>). (article 3 of the Order of 7 December 2005). <p>The curricula of the Regional Bar Schools (EDA) are diversified and EU law training is becoming increasingly common because of the growing influence of EU law on French law in all fields; EU law is often taught, not only in specialised courses, but also through teaching of other topics (criminal law, civil law, social law). The Delegation of French Bar Associations (Délégation des Barreaux de France (DBF)) has developed an EU law module which is being used by some Regional Bar Schools.</p>
Induction period divided into different stages	<p>YES</p> <p>Legal basis (in French): Article 58 du décret n° 91-1197 du 27 novembre 1991</p> <p>The 18-month training period is divided into 3 calendar periods:</p> <ul style="list-style-type: none"> • 6 months of courses at CRFPA are devoted to acquiring the fundamentals • 6-8 months are devoted to carrying out an Individual Pedagogical Project (PPI) – there are 2 available options for this training: an internship (judiciary, companies) or a university Master II course • 6-month internship in a law office (this internship must be subject to signing a tripartite agreement between the Regional Centre, the trainee and the internship supervisor)
Post-induction period assessment / exam	<p>YES</p> <p>At the end of the induction training with CRFPA, the candidate must pass the Certificate of Aptitude for the Legal Profession (CAPA) examination in accordance with the procedures laid down in the Order of 7 December 2005 (Arrêté du 7 décembre 2005 fixant le programme et les modalités de l'examen d'aptitude à la profession d'avocat)</p>

3. Continuous training system		
Differentiation between continuous training / specialisation training	YES	<p>Legal basis (in French): Article 85 du décret n° 91-1197 du 27 novembre 1991</p> <p>Every year, the National Council of the French Bars publishes a national list of lawyers having acquired one or two specialisations, including lawyers holding the specialisation of rights of Audience in front of Courts of Appeal, as stipulated in article 1, fourth paragraph of the law of 31 December 1971 (see above section “Steps to becoming a fully-fledged lawyer”).</p>
Obligations regarding continuous training	YES	<p>Ethical obligations to follow continuous training are established in the law drafted after consultation with the National Council of the French Bars which lays down the procedures.</p> <p>Legal basis (in French):</p> <ul style="list-style-type: none"> • Article 14 -2 de la loi du 31 décembre 1971 portant réforme de certaines professions judiciaires et juridiques (Continuous training is mandatory for lawyers registered with the Bars) • Articles 85 et 85-1 du décret du 27 novembre 1991 organisant la profession d'avocat • Décision à caractère normatif n 2011-004 du 25 novembre 2011 portant délibération sur les modalités d'application de la formation continue des avocats
Obligations regarding specialisation training	YES	<p>Legal basis: article 85 du décret du 27 novembre 1991 organisant la profession d'avocat</p> <p>Specialised lawyers dedicate half of their continuous training time to their specialisation field(s)</p>

Obligations regarding learning foreign languages	No obligations
Obligations regarding EU law content in relation to continuous	No obligations
4. Accreditation systems and training providers	
Possibility for accreditation	<p>YES</p> <p>There is no mandatory accreditation procedure in order to provide training for lawyers.</p> <p>In the Decision No 2011-004 (Décision du 25 novembre 2011 portant délibération sur les modalités d'application de la formation continue des avocats) it is stated that the training provider shall communicate to the National Council of the French Bars, on an annual basis, or every two months or every semester, a detailed programme of training activities for the relevant period. It is only compulsory to submit the programme; the National Council of the French Bars does not control the content of the training programme nor the training activities offered.</p>
Number of training providers offering accredited continuous training activities	There are no available data (Since there is no mandatory control over the training offered, there are no available data regarding the number of training providers.)
Type of training providers developing accredited continuous training activities	<ul style="list-style-type: none"> • CRFPA - Regional Centres for the Professional Training of Lawyers (<i>Écoles d'avocats</i> – EDA) • Bars • Organisations established or managed by the French Bars • Accredited private training providers
Number of training providers organizing training activities in preparation for specialization	There are no available data (Since there is no mandatory control over the training offered, there are no available data regarding the number of training providers)

<p>Type of training providers developing accredited training activities in preparation for specialization</p>	<ul style="list-style-type: none"> • Bars • Organisation managed or established by Bar • Accredited private commercial training provider (Law Firms) • Accredited private or public not-for-profit training provider (universities) • Non-accredited private commercial training provider • Non-accredited private or public not-for profit training provider 	
<p>Activities and methods</p>		
<p>Type of training activities accepted under the obligations of continuous or specialization training</p>	<p>Continuous training:</p> <ul style="list-style-type: none"> • Publication of legal papers • Training offered by lawyers, schools or other professional training organisations • Legal colloquia or conferences, or events directly related to the professional activity of lawyers • Teaching provided by lawyers • Distance continuous training • Mutual recognition of continuous training hours with other States 	<p>Participation in training activities in other member states:</p> <p>Training hours or training credits obtained abroad can be counted towards the fulfilment of the continuous training obligations according to the rules laid down in the Decision No 2011-004 of 25 November 2011 cited below</p> <p>Legal basis: Décision à caractère normatif n 2011-004 du 25 novembre 2011 portant délibération sur les modalités d'application de la formation continue des avocats, article 6</p>

5. Supervision of training activities

<p>Organisations involved in supervising continuous training activities</p>	<ul style="list-style-type: none"> • The Professional Training Committee of the National Council of Bar Associations: <ul style="list-style-type: none"> - Control of the continuous training offered by the Regional Centres for the Professional Training of Lawyers (CRFPA) - Control of continuous training programmes in the framework of the allocation of Inter- professional Funds for continuous training of liberal professionals (FIF-PL - <i>Fond Interprofessionnel de Formation des Professionnels Libéraux</i>) where training offered by CRFPA is assessed on the basis of 2 criteria: style (target audience and modalities) and content (diversity of trainings covering all fields of law, bearing in mind topical legal subjects) • FIF-PL draws up financing agreements with each of the “<i>écoles d’avocats</i>” (Regional Bar Schools) • The professional training committee of the National Council of Bar Associations allocates part of the FIF-PL loans to professional lawyer trade union entities having a registered number of professional training provider, according to the article L. 6351-1 and adhering to the French Employment Code (<i>Code du travail</i>), who have submitted their continuous training programme to the National Council of Bar Associations. However, the content of the programme is not checked. There is only an obligation to submit it.
<p>Supervision process</p>	<ul style="list-style-type: none"> • In the Decision No 2011-004 (Décision à caractère normatif n 2011-004 du 25 novembre 2011 portant délibération sur les modalités d’application de la formation continue des avocats) it is stated that the training provider must communicate on an annual basis to the National Council of the French Bars, a detailed programme of training activities for the relevant period.

	<ul style="list-style-type: none"> The Bar Councils (<i>Conseils de l'Ordre des Barreaux</i>) control <i>a posteriori</i> that the continuous training obligations have been fulfilled (article 17 of loi n° 71-1130 du 31 décembre 1971; article 85-1 of décret du 27 novembre 1991 and article 8 of décision à caractère normatif n. 2011-004)
Organisations involved in supervising training activities aimed towards specialisation	<p>There is no mandatory and comprehensive control of the content of continuous training courses offered to lawyers, mainly by private or public non-professional entities.</p> <p>The National Council of Bar Associations only checks the training offered by the Regional Centres for the Professional Training of Lawyers (CRFPA) and carries out, in the framework of the validation procedure, an optional control of training courses offered by private sector entities, following an application submitted by these entities (see detailed procedure, article of the Decision No 2011-004 (décision à caractère normative 2011-004)).</p>
Supervision process	<p>Only an <i>a posteriori</i> control of the fulfilment of continuous training obligations of every lawyer is mandatory, including the continuous training of specialised lawyers. The control is carried out by the Bar Councils (<i>Conseils de l'Ordre des Barreaux</i>) (see art. 14-2 loi n° 71-1130 du 31 décembre 1971 and article 85 of décret du 27 novembre 1991).</p>

6. National reform of training system

At the end of 2011, the National Council of Bar Associations decided on the abolition of the smoothing rule of 20 hours in one calendar year or of 40 hours in two consecutive years, as well as of calculating the continuous training obligations on an annual basis of 20 hours of training.

This reform has not yet been implemented, in view of the reservations expressed by the Chancellery (Central Administration of the Ministry of Justice).

The Decision No 2011-004 was reformed in 2011; therefore there is no immediate prospect of reform.

Source: Pilot Project - European Judicial Training: "Lot 2 – Study on the state of play of lawyers training in EU law", carried out by the Council of Bars and Law Societies of Europe (CCBE) and the European Institute of Public Administration (EIPA)