

## 1 Existence of a specific small claims procedure

In France, there is a simplified procedure for small claims before the district court (*tribunal d'instance*) known as a declaration at the court registry (*déclaration au greffe*) and governed by Articles 843 and 844 of the Code of Civil Procedure. The procedure is initiated by an oral or written statement made or addressed to the registry of the competent court. The registry summons the parties to the hearing by registered letter with acknowledgement of receipt. At the hearing, the judge will try to reconcile the parties and may, with their agreement, appoint a legal conciliator. If conciliation cannot be reached, the procedure continues. Legal representation is not compulsory. The parties may be represented by their spouse, cohabiting partner, the person with whom they have entered into a civil solidarity pact, their relatives by blood or by marriage, in the direct or a collateral line, or the persons they employ.

### 1.1 Scope of procedure, threshold

The claim must not exceed EUR 4 000 and must fall within the jurisdiction of the district court concerned.

### 1.2 Application of procedure

The procedure of declaration at the court registry is optional.

The procedure of declaration at the court registry cannot be transformed into proceedings since, if the claim is greater than EUR 4 000 or does not fall within the jurisdiction of the district court, an application must be filed with the competent court in accordance with the ordinary referral procedure.

### 1.3 Forms

The form is not mandatory, since the statement at the court registry may be made orally. However, there is a form for referral to the court.

The CERFA No 11764\*08 form is available on the website of the French government, in all district court registries and on <https://www.justice.fr/>.

### 1.4 Assistance

Since this is a simple procedure involving amounts not exceeding EUR 4 000 and the parties are heard by the judge, no aid is provided for by the law. However, the parties may be assisted or represented by a lawyer, including after having applied for legal aid.

### 1.5 Rules concerning the taking of evidence

The rules of evidence are similar to those under the ordinary procedure.

### 1.6 Written procedure

There is no purely written procedure in the context of such simplified proceedings.

### 1.7 Content of judgment

The rules applicable to the judgment are the same as those under the ordinary procedure.

### 1.8 Reimbursement of costs

The applicable rules are the same as for other procedures. However, as this procedure does not require the appointment of a lawyer or legal representation, the related costs are lower.

### 1.9 Possibility to appeal

In view of the amounts concerned by such claims, there is no possibility of appeal. The judgment can only be set aside or referred for cassation.

## Related links

[Website of the Ministry of Justice \(Ministère de la Justice\)](#)

[Legifrance website](#)

Last update: 09/09/2019

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