

[Home](#) > ... > [Taking Legal Action](#) > [European Judicial Atlas In Civil Matters](#) > [Taking Evidence \(recast\)](#) > [France](#)

Taking evidence (recast)

France



France

FINDING COMPETENT COURTS/AUTHORITIES

The search tool below will help you to identify court(s)/authority(ies) competent for a specific European legal instrument. Please note that although every effort has been made to ascertain the accuracy of the results, there may be some exceptional cases concerning the determination of competence that are not necessarily covered.

Article 2(1) - Authorities that can be considered as courts

The judge, at the request of the parties or of their own motion, has sole competence to issue a request for the taking of evidence in civil and commercial matters in order to carry out the judicial acts they consider necessary or to have such acts carried out.

Article 3(2) - Requested courts

The combined regional and district courts (*tribunaux judiciaires*) have sole competence for executing requests for the taking of evidence in civil and commercial matters.

The court with territorial competence is the court in whose jurisdiction the request for the taking of evidence must be executed.

The competent court and its contact details can be identified with the help of the European Judicial Atlas on the e-Justice website.

Article 4 - Central body

France has opted for a single body to be competent at national level, namely the Department for Mutual Assistance, Private International Law and EU Law (*Département de l'entraide, du droit international privé et européen - DEDIPE*) of the Ministry of Justice:

Address:

Ministère de la Justice [Ministry of Justice]
Direction des Affaires Civiles et du Sceau [Civil Affairs and Seals Directorate]
Département de l'entraide, du droit international privé et européen (DEDIPE)
13 place Vendôme
75042, PARIS Cedex 01

Tel. +33 144776105

Fax +33 144776122

Email: Entraide-civile-internationale@justice.gouv.fr

Article 6 - Languages accepted for completion of the forms

Forms sent to the combined courts or the French central body must be written in or translated into French.

Article 7 – Means accepted for transmission of requests and other communications

Requests can be sent to the French courts or the French central body by post, fax or email.

If a request requires or bears a stamp or a handwritten signature, these can be replaced by a 'qualified electronic seal' or a 'qualified electronic signature' within the meaning of Regulation (EU) No 910/2014 (Article 7(3)).

Article 19 – Central body or competent authority(ies) responsible for decisions on requests for direct taking of evidence

Ministère de la Justice [Ministry of Justice]
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Article 29 – Agreements or arrangements to which Member States are parties and which comply with the conditions in Article 29(2)

None

Article 31(4) – Notification on the early use of the decentralised IT-system

Not available

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