

French Notaires in Paris

A French *notaire* is a public official appointed by the Ministry of Justice, and not the equivalent of a notary public in the United States. The number of *notaires* in each jurisdiction is limited, and their fees fixed by law. Their functions include the preparation and recording of notarial acts (i.e. wills, deeds, acts of incorporation, marriage contracts) the administration and settlements of estates (excluding litigation in court) and serving as the repository of wills. They are not lawyers, but very specialized members of the legal profession. They may not plead in court.

Information on Settling an Estate in France available on page 3 of this document.

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Settling an Estate in France

In most cases, the services of a "notaire" is required to settle an estate in France. A notaire is a government-appointed lawyer whose role is essential for all real estate transactions: if property is bought, sold, donated or inherited, a notaire will draft the act, record it, levy the appropriate taxes (such as inheritance taxes), and deliver the deeds of property. In addition to handling real estate transactions, a notaire will also assist with closing bank accounts, settling unpaid bills, and disposing of personal property through sale or donation. In the event a decedent did not leave a will, a notaire will be responsible for identifying and locating heirs, sometimes with the help of genealogists. Physical presence of an heir in France is not required to settle an estate.

The services of a notaire **must** be retained if the deceased U.S. citizen owned real estate or left an estate valued at more than 5,000 Euros. However, under certain circumstances heirs may be able to access a decedent's rented property and take possession of the contents. In this case, the heirs would need to communicate directly with a landlord or rental agency to make arrangements.

The Embassy has a list of English-speaking notaires in Paris, available [here](#). For more information regarding notaires, their roles, their fees, or locating a notaire in other regions of France, please visit the official French website for notaires, in English, [here](#).

Frequently Asked Questions:

- **How are notaire fees determined?**
The fees of the notaire are determined by the French government and are payable once the notaire's services are complete.
- **Are burial or cremation costs considered as part of the estate settlement?**
The funeral home can use up to 5,000 Euros from the deceased's bank account to cover costs related to burial or cremation.
- **Do I have to travel to France to settle an estate?**
Physical presence in France is not required to settle an estate. If official signatures are required on French legal documents, heirs can visit the nearest French consulate for assistance.
- **How long does it take to settle an estate?**
Each case is unique, but heirs should expect the process to take several months at a minimum.
- **What are the potential tax liabilities for me as an heir?**
The notaire will declare the estate to the fiscal administration, which will determine the amount of taxes to pay.
- **If my relative did not own real estate in France, and the estate is valued at less than 5,000 Euros, am I still obligated to retain a notaire?**
No. If desired, heirs can waive an estate by going to a French court. A notaire can advise on this.
- **What can I do without retaining a notaire to claim my relative's personal effects?**
To claim a deceased relative's personal effects, the Embassy can assist you by issuing a "certificat d'hérédité consulaire," an affidavit notarized by a Consular Officer. Heirs should check if such a document will be accepted by the entity holding the personal effects.
- **Do I need to retain an attorney in France regarding a deceased relative's estate?**
A notaire is a French government-appointed public and ministerial officer who handles estate matters. Unless there is a dispute, a separate attorney is generally not required.

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