

Lawyers at the French Administrative Supreme Court (Conseil d'État) and the French Supreme Court (Cour de cassation) – The Autorité de la concurrence launches a public consultation with a view to preparing a new opinion on freedom of establishment

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Background

The *Autorité* is today launching the procedure provided for in Article L. 462-4-2 of the French Commercial Code (*Code de commerce*) with a view to preparing a new opinion on the freedom of establishment of lawyers at the French Administrative Supreme Court (*Conseil d'État*) and the French Supreme Court (*Cour de cassation*) (hereinafter "lawyers at the Courts") and revising its recommendations on the creation of offices.

Following a change in the regulatory framework, the *Autorité* is for the first time issuing recommendations on the creation of new offices for a five-year period (2027-2032).

In addition to lawyers at the Courts (whether self-employed or employed), the *Autorité* would like to encourage associates of lawyers at the Courts and students at IFRAC (specialist training institute that provides professional training for practitioners who are already members of the Bar and wish to join the profession of lawyer at the Courts) to take part in the consultation.

To contribute to the opinion and the associated recommendations, the stakeholders concerned are invited to answer the online questionnaire available via the link below before 5 November 2026.

The regulatory framework now provides for a review of the recommendations on the creation of offices of lawyers at the Courts at least every five years

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In accordance with Decree 2025-1273 of 22 December 2025, the *Autorité* now issues recommendations “*with a view to improving access*” to offices of lawyers at the Courts at least every five years (versus two years previously).

As a reminder, the last opinion^[1] on lawyers at the Courts was published in the Official Journal on 20 April 2025. The *Autorité* recommended increasing the number of offices of lawyers at the Courts from 71 to 72. Further to the recommendation, one new office was created by the Minister of Justice, on 7 August 2025.

A public consultation to inform the new recommendations

The public consultation launched today marks the start of the work to revise the recommendations for the period 2027-2032.

The consultation is open to any persons that would like to participate. **In particular, the *Autorité* would like to encourage all professionals concerned to take part in the consultation, as well as associates of lawyers at the Courts and students at IFRAC (specialist training institute that provides professional training for practitioners who are already members of the Bar and wish to join the profession of lawyer at the Courts), in order to gather their views on**

several issues that concern them directly.

The *Autorité* has identified several important issues on which the stakeholders concerned are invited to comment:

- the requirements for obtaining the CAPAC qualification and entering the profession of lawyer at the Courts;
- changes in the work of lawyers at the Courts;
- the use of generative artificial intelligence;
- the requirements for taking over a lawyer at the Courts' office.

Click on the link below to access the questionnaire. The consultation will close on 5 November 2026. Individual responses to the questionnaire are confidential. Only aggregated and anonymous results may be made public.

- [Questionnaire](#)

[1] Opinion 25-A-06 of 16 April 2025 on the freedom of establishment of lawyers at the French Administrative Supreme Court (*Conseil d'État*) and French Supreme Court (*Cour de cassation*), [Official Journal of the French Republic \(JORF\) 0095 of 20 April 2025.](#)

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