

Family Law in Monaco: Overview

by Christine Pasquier Ciulla, Regina Griciuc and Amélie Pouyau, *CMS* Pasquier Ciulla Marquet Pastor Svara & Gazo

Country Q&A | Law stated as at 01-Nov-2023 | Monaco

A Q&A guide to family law in Monaco.

The Q&A gives a high-level overview of key issues including jurisdiction and conflict of law; pre- and post-nuptial agreements and matrimonial property regimes; divorce, nullity, and judicial separation; children; surrogacy and adoption; cohabitation; family dispute resolution; civil partnership/same-sex marriage and controversial areas and reform.

This Q&A is part of the global guide to family law.

This global guide is published in association with the International Academy of Family Lawyers.

Jurisdiction and Conflict of Law

Regulatory Framework

1. What are the primary sources of law in relation to marriage, marital breakdown and the welfare of children and give a brief overview of which courts will have jurisdiction to hear the dispute?

Sources of Law

In Monaco, matrimonial law is predominantly governed by Articles 116 to 410-57 of the First Book of the *Monaco Civil Code* (MCC). These Articles cover a wide range of family law matters, such as marriage, divorce, separation, parentage, adoption, parental responsibility, minors and adults protected by the law. Rules relating to matrimonial property and marriage contracts are set out in Articles 1235 to 1261 of the MCC.

Law No 1,448 of 28 June 2017 on Private International Law, which entered into force on 8 July 2017, introduced the Code on Private International Law (MCPIL) which provides the conflict of

law rules applicable to marriage, matrimonial regimes, divorce, maintenance obligations and other family law matters. The MCPIL also contains rules on jurisdiction (*see Question 2*).

Concerning the welfare of children, Monaco ratified the UN Convention on the Rights of the Child of 1989 and the following Hague Conventions:

- *HCCH Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children 1996* (Hague Child Protection Convention).
- *HCCH Convention on the Civil Aspects of International Child Abduction 1980* (Hague Child Abduction Convention).
- *HCCH Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption 1993* (Hague Adoption Convention).

The Monaco *Code of Civil Procedure* (MCCP) contains specific procedural rules regarding matrimonial regimes at Articles 816 to 829. Articles 830 to 848-1 of the MCCP relate to the guardianship judge (*Juge Tutélaire*).

Court System

Family matters are within the general courts' jurisdiction. Family law cases are heard by the Court of First Instance (*Tribunal de Première Instance*). Certain family matters relating to minors and adults protected by the law are subject to the jurisdiction of the guardianship judge.

Appeals are heard on matters of law and fact by the Court of Appeal (*Cour d'Appel*) and by the Court of Revision (*Cour de Révision*) on questions of law alone.

Jurisdiction

2. What are the main requirements for local courts to have jurisdiction in relation to divorce, property and children proceedings?

Rules relating to jurisdiction are set out in the MCPIL.

Monaco courts have jurisdiction over any dispute where the defendant's domicile is in Monaco at the time when the application is submitted. They also have jurisdiction when one of the parties is a Monegasque national.

Divorce

In relation to divorce and legal separation, Monegasque courts have jurisdiction where:

- The spouses' domicile is in Monaco.
- The spouses' last domicile was in Monaco and one of the spouses still resides there.
- The defendant spouse has his or her domicile in Monaco.
- One of the spouses is a Monegasque national.

In divorce matters, jurisdiction issues are dealt with during the proceedings on the merits. Where jurisdiction issues are raised before the conciliating judge, the latter refers the case to the Court of First Instance, which then also rules on interim measures. The conciliating judge is the judge who attempts to 'reconcile' the spouses and, if conciliation fails, confirms the spouse's intention to divorce and rules on interim measures.

See [Question 4](#).

Same-Sex Spouses and Civil Partners

Same-sex marriages are not allowed under Monegasque law. However, the Court of Appeal has recently recognised the validity of a foreign same sex-marriage, but the matter is still pending before the Monaco Courts.

Regarding civil partnerships, the Court of First Instance has jurisdiction to rule on actions related to the conclusion, execution, termination or nullity of civil solidarity contracts.

Property

Where Monegasque courts have jurisdiction over the divorce, they also have jurisdiction to rule on the liquidation of the matrimonial regime and matters related to the matrimonial assets.

Children

Under the Hague Child Protection Convention, Monegasque courts have jurisdiction to take measures to protect the child's person or property, if the child's habitual residence is in Monaco.

See also [Question 3](#).

Domicile, Nationality and Habitual Residence

3. How do the concepts of domicile, nationality and habitual residence apply in relation to divorce, financial arrangements, and children?

"Domicile" is defined in the MCC as the place where the person's main establishment is. A person can only have one domicile. The MCPIL defines a person's domicile as the place where they have their main establishment.

Any Monegasque is deemed to be domiciled in Monaco unless they establish that their domicile is in another country. A foreign national holding a Monegasque resident permit is deemed (unless otherwise proven) to have their domicile in Monaco.

The spouses together choose the family residence which constitutes their "main establishment". The family residence is established de facto on a case-by-case basis. Where a spouse claims to have no personal domicile at the time of the filing of the divorce petition, the domicile of the other spouse can be considered as the family home, due to the spouses' obligation to live together.

The "habitual residence" of underage children in the event of a divorce is a factual concept. This concept is attached to that of "parental responsibility", and both parents (failing that, the judge) decide on the child's habitual residence. It is defined as the place where the child effectively lives and cannot leave without authorisation from their parents or the judge.

The concept of "nationality" has an important impact on the determination of the applicable law or jurisdiction in certain matters (see [Question 4](#) and [Question 5](#)).

Conflict of Law

4. What procedure applies for a party applying to stay proceedings in favour of a foreign jurisdiction? What factors do local courts take into account when determining forum issues?

Procedure

If an action with the same subject matter is pending between the parties before a foreign court, the second-seised Monegasque court can stay proceedings until the foreign court has decided the matter. The Monegasque court must decline jurisdiction if the decision of the foreign court can be recognised in Monaco under the MCPIL.

Factors

When determining forum issues, the courts are guided by the jurisdiction rules set out in the MCPIL.

When jurisdiction is disputed, and depending on the subject matter, the courts can take various criteria into consideration, such as nationality, domicile, administrative, legal, economic and social ties and so on.

The parties can also agree on the competent jurisdiction in matters, where they can freely dispose of their rights under Monegasque law, as follows:

- If the parties have agreed on the jurisdiction of the Monegasque courts, these courts will have exclusive jurisdiction if the dispute has a sufficient connection with Monaco.
- If the parties have agreed on the jurisdiction of a foreign court, the Monegasque court seised (contrary to this clause) must stay the proceedings until the designated foreign court is seised or until it has refused to exercise jurisdiction. However, the Monegasque court seised can hear the dispute if:
 - foreign proceedings prove impossible; or
 - the foreign decision is not expected to be rendered within a reasonable time or cannot be recognised in Monaco.

Anti-Suit Injunctions

Anti-suit injunctions do not exist under Monegasque law and consequently, courts often deal with "forum shopping", particularly in divorce matters.

Applicable Law

5. Are foreign nationals treated differently on divorce?

From an applicable law perspective, there is no difference in the treatment of foreign nationals on divorce. However, from a jurisdictional perspective, an important difference is that Monaco courts always have jurisdiction to rule on a Monegasque national's divorce, while foreign nationals must comply with the jurisdictional rules under the MCPIL.

Monaco courts apply the conflict of laws rules set out in the MCPIL, unless the parties, in matters where they can freely dispose of their rights, have agreed that Monegasque law will apply. Consequently, Monaco courts can apply Monegasque law or a foreign law.

The content of the applicable foreign law is to be established by the parties and the court.

The application of the foreign law is subject to the following conditions:

- Where the content of the foreign law cannot be established, Monegasque law applies.
- "The law of a state" means the rules of substantive law of that state (excluding its rules of private international law and therefore, excluding the *renvoi* (choice of law rules)).
- The foreign law under the MCPIL does not apply if it is clear, in all the circumstances, that the situation does not have sufficient connection with the foreign law and is more closely connected with Monegasque law or with another law. In such a case, Monegasque law or the other law will apply. This provision does not apply to choice-of-law cases.
- The application of the foreign law will be excluded if it leads to an outcome that is clearly contrary to Monegasque public policy. If in reviewing any inconsistency, it is assessed that there is a strong connection between the matter and the Monegasque legal system, Monegasque law will apply.
- The provisions of the MCPIL cannot restrict the application of public order legislation (which will continue to apply regardless of the applicable law under the conflict of law rules).

The MCPIL sets out the conflict of law rules applicable in divorce matters.

The applicable law to divorce or legal separation before Monegasque courts is Monegasque law, unless both spouses request the law of a state of which both are nationals to apply.

The spouses can also agree (even before the marriage celebration) on the application of the law of a state of which one of them is a national or the law of a state where they have their common domicile.

Service of Proceedings

6. What are the requirements for service of divorce, financial and children proceedings in your jurisdiction?

For the purposes of serving and delivering notifications of judicial and extrajudicial documents in Monaco, the relevant provisions are set out in the:

- *HCCH Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil and Commercial Matters 1965* (Hague Service Convention).
- MCCP.

The process is as follows:

- The service of judicial documents must be effected by a Monegasque bailiff. Postal or electronic service by way of email is not sufficient.
- Service must be carried out in person or at the domicile (and in the absence of a known domicile, at the residence) of the addressee.
- If the bailiff does not find the addressee at their domicile or residence, they must deliver a copy, in an envelope, to any family members living with the addressee or to their domestic personnel.
- If the bailiff does not meet any of these persons, they must remit the document to the Mayor, who will deliver the original to the addressee.
- A notification that service has been effected must be provided to the addressee by registered letter.
- If the addressee has no known domicile or residence, the bailiff must leave a copy of the document at the office of the Public Prosecutor.
- All procedural documents should be translated into French, which is the official language of Monaco.

Pre- and Post-nuptial Agreements and Matrimonial Property Regimes

Validity of Pre- and Post-Nuptial Agreements

7. To what extent are pre-nuptial and post-nuptial agreements binding?

Pre-Nuptial Agreements

The law of Monaco allows the future spouses to conclude a marriage contract before the celebration of the marriage. Under Monegasque law, the validity of a marriage contract is subject to the following formal conditions:

- The marriage contract must be signed before the celebration of the marriage and takes effect on the day of the celebration of the marriage.
- The marriage contract must be drawn up in the form of a notarial deed.

The parties can choose the law applicable to the substance of the marriage contract, in keeping with the general principle of "freedom of matrimonial agreements" (*see also Question 8*). However, under Monegasque law, parties cannot derogate from public policy rules, particularly rules relating to the rights and obligations imposed on spouses by the institution of marriage and parental authority.

In all cases, the provisions of Monegasque law on the protection of the family home and its furniture and fittings will apply if the home is in Monaco.

In the absence of a choice of law, the matrimonial regime will be governed by:

- The law of the state where the spouses establish their domicile after the marriage.
- The law of the state of which both spouses are nationals at the time the marriage is celebrated (if there is no domicile in the same state).
- Monegasque law (if there is no domicile in the same state, no single common nationality or if there are multiple common nationalities).

The designation of the applicable law to the matrimonial regime can be changed at any time. If made after the celebration of the marriage, the choice of law will be effective only for the future (unless the spouses agree otherwise).

The spouses can also choose, before or after the marriage, as the applicable law to their divorce or legal separation, either the law of a state:

- Of which one of them is a national.
- Where they have their common domicile.

Post-Nuptial Agreements

There is no concept under Monegasque law similar to the common law post-nuptial agreement, where the parties can contractually, in advance, organise the asset management and allocation of property, as well as all financial consequences, in the event of a divorce.

However, the MCC provides the possibility for the spouses to sign a "divorce convention" setting out the consequences of the divorce at any moment during divorce proceedings. Such an agreement will become legally binding following judicial approval.

8. Do matrimonial regimes exist in your jurisdiction and is there a default matrimonial property regime?

Default Regime

The Monegasque statutory matrimonial property regime is that of separation of property.

Under the separation of property regime, spouses are free to administer, use and dispose of their personal property, and bear the burden of their personal debts alone.

The spouses can also agree to choose another matrimonial regime such as, for example, the community of property regime.

Law Applicable to the Matrimonial Regime

The matrimonial property regime is governed by the law chosen by the spouses. The spouses can choose the law of the state:

- Where they establish their domicile after the celebration of marriage.
- Of which one of them is a national when the choice of law is made.
- Where one of them has his or her domicile when the choice is made.
- Where the marriage is celebrated.

The law they choose applies to all their property.

When the marriage is celebrated in Monaco, the Monegasque statutory matrimonial regime applies if one or both of the future spouses are foreign nationals and declare that they have not entered into a marriage contract. If, on the inquiry of the civil registrar, the spouses declare to be subject either to the statutory matrimonial regime of the state of which one of them or both are a national, or to the statutory matrimonial regime of the state where at least one of them has his or her domicile, that regime applies.

Under Monegasque law, the matrimonial property regime can be modified at any time throughout the marriage if justified by "the family's best interests". The modification must be made by notarised deed and is subject to judicial approval.

Judges tend to be thorough when checking that the purported changes are indeed in "the family's best interests", especially when a separation of property regime is changed for a community regime. The above conditions apply if the marriage contract or matrimonial property regime is governed by Monegasque law.

See also [Question 7](#).

Procedure

The choice of law applicable to the matrimonial regime must be set out in writing, dated and signed by both spouses. The choice of law must comply with the formal requirements for marriage contracts under the designated law or that of the state where the deed is made.

9. How are foreign separation of property agreements and pre-nuptial and post-nuptial agreements treated by the courts in your jurisdiction?

Foreign nuptial agreements which are valid and enforceable under the applicable foreign law are generally recognised in Monaco, subject to public policy considerations.

In an unpublished case where German law applied to the divorce, the Court of First Instance recognised the effects of the German pre-nuptial agreement in which the spouses had opted for the German matrimonial regime of separation of assets and to an extent waived certain rights to financial compensation on divorce.

However, case law is very scarce on the matter and there is uncertainty as to how Monaco courts would treat foreign nuptial agreements which provide for advance arrangements in the event of a divorce. This is particularly in relation to the financial consequences of the divorce, including spousal compensation.

Divorce, Nullity and Judicial Separation

Recognition of Foreign Marriages/Divorces

10. Are foreign marriages/divorces/civil partnerships recognised in your jurisdiction?

Marriages

A marriage duly contracted abroad in accordance with the law of the state where it is celebrated is valid and recognised under Monegasque law unless it:

- Is contrary to the Monegasque public policy.
- Was celebrated abroad with the clear intention to circumvent Monegasque law.

Divorces/Annulment

Res judicata (matter already judged) judgments delivered by foreign courts are recognised in Monaco if there is no ground for refusal under the MCPIL. Any interested party can bring legal proceedings before the courts of Monaco for the recognition or non-recognition of a foreign court judgment.

Foreign *res judicata* judgments which are enforceable in the state where they were granted can only be enforced in Monaco after they have been declared enforceable by the Court of First Instance (unless otherwise provided for in the applicable treaties).

Monegasque courts must consider whether:

- The judgment was delivered by a court which has jurisdiction to hear the case.
- The rights of defence were respected, in particular that the parties were duly summoned and able to defend themselves.
- The recognition and enforcement are clearly contrary to Monegasque public policy.
- The foreign judgment is contrary to a decision delivered in relation to the same parties in Monaco or to a previous decision delivered in another state and recognised in Monaco.
- Another dispute is pending before a court in Monaco (first seised) between the same parties in relation to the same subject-matter.
- A judgment delivered by a foreign court cannot be reviewed on its merits under any circumstances.

Civil Partnerships

In light of the enactment of Law No 1,481 of 17 December 2019 on civil solidarity contracts (*see Question 33 and Question 36*), foreign civil partnerships should be recognised in Monaco, at least to a certain extent.

Divorce

11. What are the grounds for divorce?

Divorce

The grounds for divorce are:

- Fault.

- Breakdown of marital life (after three years' separation).
- A criminal conviction or serious illness of a spouse likely to compromise the family's balance (Article 197, MCC).
- Divorce by mutual consent (Articles 198 and 199, MCC).

A fault-based divorce can be requested when the actions of a spouse constitute a serious or repeated breach of marital obligations which renders the continuation of married life intolerable. Establishing fault on both sides leads to a decree against both spouses (*divorce aux torts partagés*).

The case law suggests that a fault-based divorce is likely to be granted only if the fault is serious and duly demonstrated. On several occasions, the court has rejected the spouses' fault-based claims and refused to pronounce the divorce.

In the case of irretrievable breakdown of communal life, a divorce can be granted after a three-year separation period on the date of lodging the divorce petition. After this mandatory separation period, the divorce is granted automatically and the other spouse's consent is irrelevant. However, if the other spouse files for a fault-based divorce, the court will examine the fault-based request first. If no fault can be established, the court can pronounce a divorce for the irretrievable breakdown of marital life.

Divorce proceedings end in the event of a reconciliation between the spouses.

Nullity

The grounds to file an action to have a marriage declared null and void relate to a marriage contracted:

- In the absence of the spouse's consent, or after consent was extorted by threats or by instilling considerable fear.
- After consent was given as a consequence of a fundamental mistake made by one of the spouses as to the identity or essential qualities of the other spouse.
- By persons under 18 years of age (special consent conditions are imposed regarding minors over 16 years of age).
- While already married.
- Between people of the same sex.
- Between two persons who are closely related.

Depending on the cause of nullity invoked, either spouse, or both spouses, their direct ascendants, the general prosecutor or anyone whose consent was required can commence proceedings to have a marriage declared null and void.

Judicial Separation

Judicial separation puts an end to the obligation of cohabitation but, unlike divorce, it does not put an end to the duties to provide assistance and to remain faithful to one's spouse. Judicial separation can be pronounced on the same grounds as divorce. After two years, either spouse can request that the judicial separation be changed to a divorce.

To the authors' knowledge, the courts have not yet been faced with the issue of the recognition of the divorce/separation of a foreign same-sex couple legally married abroad.

12. What is the procedure and timeline for divorce?

Divorce

Divorce proceedings by unilateral application based on Article 197 or 198 of the MCC comprise three main stages:

- The filing of the divorce petition and the authorisation to summon the other spouse to attend the conciliation hearing.
- The conciliation hearing, where the conciliating judge orders interim measures and authorises the claimant to file for divorce within a month.
- The divorce summons and the debates leading to the divorce judgment.

In certain cases, the conciliating judge can refer the case on provisional measures to the First Instance Court (for example, when the defendant spouse decides to challenge jurisdiction).

The timeline depends on the complexity of the case and whether it is highly contentious. On average, divorce proceedings before the Court of First Instance (excluding any appeal) can last between one and three year(s). Appeals before the Court of Appeal and the Court of Revision have suspensive effects.

Divorce proceedings by joint application based on Article 199 of the MCC comprise two main stages:

- The filing of the joint divorce petition with the signed settlement agreement.
- The conciliation hearing, where the conciliating judge orders the interim measures and refers the case to the Court of First Instance for the divorce decree to be granted.

The average timeframe is between three and six months. The judgment granted cannot be appealed.

The liquidation of the matrimonial regime requires further proceedings.

Nullity

The nullity action must be filed before the Court of First Instance.

The timeline depends on the complexity of the case and whether it is highly contentious.

Judicial Separation

The rules governing the divorce proceedings are also applicable to judicial separation.

Religious Marriage and Divorce

13. Are customary and religious marriages and divorces recognised in your jurisdiction?

Under Monegasque law, only civil marriages are legally binding. Religious divorces are not legally binding.

Under the MCPIL, a marriage duly contracted in a country where it is valid and legally binding should be recognised in Monaco, provided it is not contrary to Monegasque public policy.

Regarding foreign religious divorces, the Court of First Instance previously enforced a divorce judgment granted by a Saudi Arabian court which ascertained the divorce resulting from the final and imperfect repudiation of the wife by the husband, as well as the spouses' settlement agreement on the consequences of their divorce (*unpublished order*).

In a case concerning a Jewish religious divorce brought after the (civil) divorce was granted in Monaco, the Court of Appeal ruled that, on the basis of the freedom of worship, the husband could not be compelled to deliver a "get" to his ex-wife against his will. However, the court found that the husband's bad faith refusal constituted a wrongful abuse of right which justified the award of damages to the ex-wife (*S v B, Legimonaco, Court of Appeal, 8 June 2010*).

Finances/Division of Assets

14. What powers do the courts have to allocate financial resources and property on the breakdown of marriage?

See [Question 17](#).

15. What factors are relevant to the exercise of the court's powers?

See [Question 17](#).

16. What is the court's current position on the division of assets?

See [Question 17](#).

Finances/Spousal Maintenance (Alimony)

17. How does ongoing spousal maintenance operate following marital breakdown? Is maintenance awarded for a fixed term or on an open-ended basis? Is there a set formula or do judges have discretion over quantum and term?

Spousal Maintenance

The following are available on the breakdown of the marriage:

- Spousal maintenance (alimony) awarded during the divorce proceedings.
- Spousal compensation granted when the divorce becomes final.
- The liquidation of the matrimonial property regime.
- Child support.

During divorce proceedings. Spouses have a mutual obligation to provide support and assistance. During the marriage, the spouse who does not fulfil this obligation can be compelled to do so and on request, the judge can award maintenance support for living costs.

On separation or pending divorce, alimony (*pension alimentaire*) can be awarded to either spouse in proportion to each spouse's incomes and needs, and it can be decreased or increased if circumstances change. If there are children, the judge can award a separate amount to the custodial parent (see [Question 20](#)).

The judge can order one spouse to pay the other spouse periodical amounts, to enable the latter to maintain the living standard to which they have become accustomed.

Monegasque courts have jurisdiction to hear any application regarding a maintenance obligation if either the maintenance debtor or creditor has his or her domicile in Monaco or is a Monegasque national. A Monegasque court with jurisdiction to hear proceedings regarding the status of a person also has jurisdiction to hear proceedings relating to a related maintenance obligation. Maintenance obligations between spouses are governed by the law governing the marital rights and obligations of the spouses.

The marital rights and obligations of the spouses are governed by:

- The law of the state where the spouses have their common or separate domicile.
- The law of the state where the spouses had their last common domicile (if the spouses do not have a domicile in the same state).
- By Monegasque law (if the other two do not apply).
- In addition to maintenance pending proceedings, the court can also grant an allowance for legal costs to the spouse in need, especially when financial expertise is necessary and the latter must pay the expert's retainer (which in certain complex cases can be for up to EUR200,000).

After the divorce is final. On the dissolution of the marriage, the spouses no longer have a duty to support each other: payment of alimony ceases once the divorce judgment has the force of *res judicata*.

However, either spouse can benefit from financial remedies intended to compensate the prejudice caused by the dissolution of the marriage. Financial remedies are governed by the law under which the divorce is granted.

Under Monegasque law, either spouse can receive:

- A compensatory benefit (*prestation compensatoire*), which is usually paid in capital, in one lump sum, but can also be paid in up to five yearly instalments (or more, under exceptional circumstances).
- The attribution of an asset, or life interest in an asset.

Monegasque law does not allow for the compensatory benefit to be fixed in the form of a lifelong annuity.

The case law confirms that the purpose of compensatory benefit is to compensate for the disparity that the dissolution of marriage creates in the spouses' living conditions and not to "correct" the consequences of the choice of the matrimonial regime (of separation of property) (*G v C, CR, 29 May 2017*). Also, the courts seem less willing to grant maintenance in cases where the marriage was very brief and the spouses very young. In such cases, the courts think that the spouses can easily "bounce back" from the divorce.

In the case of a fault-based divorce, the "guilty" spouse loses any advantage that the "innocent" spouse may have granted by marriage contract or otherwise. The "guilty" spouse also loses any right to a compensatory benefit.

However, exceptions can be made on the basis of equity, to compensate considerable disparities in the spouses' respective situations following the divorce.

For example, it was decided that, although deemed guilty in the sense of Article 197-1 of the MCC, a 57-year-old wife should receive compensation in a divorce pronounced after a 38-year-long marriage, during which she gave up her teaching career to bring up the couple's seven children.

In another matter, the "guilty" wife was granted a EUR200,000 compensation after a 16-year-long marriage during which she contributed to the husband's business and dedicated herself to the education of the couple's children (*unpublished order*).

The spouse against whom the divorce was pronounced can be ordered to pay damages to the "innocent" spouse for the moral or material prejudice caused by the breakdown of the marriage.

Finally, in the divorce judgment, the court names a notary to proceed to the liquidation of the matrimonial regime and divide any property owned jointly by the spouses. If the parties fail to reach an agreement before the notary, a new procedure is triggered.

At any stage during the divorce proceedings or during the subsequent liquidation of the matrimonial regime, the judge can order an expert assessment of the spouses' reciprocal incomes and assets or can appoint a notary to propose a draft for the liquidation of assets.

Case law demonstrates that judges are increasingly willing to order expert assessments to evaluate the spouses' respective financial situations to help determine the appropriate allocation of property and maintenance.

The experts' investigations can be quite broad, and can include the:

- Evaluation of the spouses' income and expenses during their marital life.
- Examination of the spouses' accounts.
- Lifting of banking secrecy rules or other professional confidentiality rules.

However, in practice, experts are faced with various obstacles and the results are often unsatisfactory (*see Question 38*). The case law shows that professionals and bankers are reluctant to lift confidentiality rules.

The existing case law in divorce and estate matters suggests that courts could take into consideration the indirect ownership and interests held by the spouses in various structures or entities (companies, trusts, foundations).

Basis for Award

See below, *Fixed Formula or Court Discretion*.

Fixed Formula or Court Discretion

There is no fixed formula or official guidance and the court has discretion to decide quantum and term in making financial support orders based on factors formulated by law and case law.

During divorce proceedings. In assessing the amount due, the judge "must take into account the creditor's needs and the debtor's contributory faculties".

The needs of daily life are considered, to a certain extent, in relation to the spouses' lifestyle. However, the "needs of the wife" cannot be defined and determined as resulting necessarily and automatically from the husband's fortune and income, even if, during marital life, he used to give her considerable sums for strictly personal expenses (*VB v FR, CA, 8 June 2010*). In that case, the court granted the wife monthly alimony of EUR30,000 to allow her to maintain the lifestyle she had grown accustomed to during her 20-year marriage.

In another case, the court granted the wife a monthly amount of EUR100,000 to allow her to maintain the lifestyle she had enjoyed during her nine-year marriage.

In another (unpublished) matter, the wife was first granted a monthly amount of EUR60,000 and the enjoyment of a secondary EUR multi-million residence that belonged to the husband to allow her to maintain the lifestyle she had enjoyed during their 36-year marriage, but due to the wife's subsequent eviction from the secondary residence, the monthly alimony was increased to EUR80,000.

After the divorce is final. Examples of the criteria taken into account in assessing the amounts due are:

- The duration of the marriage.
- The age and health of the spouses.
- Their qualifications and professional situation.
- The consequences of the professional choices made by one of the spouses during marital life, for the education of the children, or to favour the other spouse's career at the expense of one's own.
- The estimated or predictable amount of wealth (both capital and income) received in the process of winding up matrimonial assets.
- The spouses' existing or predictable rights regarding social coverage and retirement plans.

18. Is it common for maintenance to be awarded on marital breakdown?

There are no statistics providing an objective analysis of the courts' thinking on this matter. There are no official guidelines to help direct the courts regarding the allocation and calculation of maintenance. The relatively limited published case law shows that the courts consider the issue on a case-by-case basis, taking into consideration precise factual elements (*see Question 15 and Question 17*).

19. What is the court's current position on maintenance on marital breakdown?

See *Question 15* and *Question 17*.

Finances/Child Support

20. What financial claims are available to parents on behalf of children within or outside of the marriage?

Children (born within or outside of marriage) must be cared for by their parents until they reach majority or emancipation, or until they become financially independent.

Child maintenance can therefore be claimed on behalf of minor children before Monegasque courts if parentage is established.

The MCPIL defines the jurisdiction of the Monegasque courts and the law applicable to child maintenance.

21. On what basis is child maintenance calculated?

Child maintenance under Monegasque law is based on the principle of parental responsibility. The child is placed under the responsibility of both parents, who together have a duty to ensure their custody, supervision, and education (*autorité parentale conjointe*). On this basis, each parent has the obligation to contribute towards the child's care and education, in proportion to their respective resources and the child's needs.

In the absence of agreement between the parents, the judge orders the payment of child maintenance, known as a contribution to the child's care and education (*part contributive à l'entretien et à l'éducation de l'enfant*). In practice, there is no compulsory calculation mechanism. The amount due is based on the parents' respective resources and the child's needs.

The child's interests are paramount and require the child to be allowed to maintain their living standards. To this end, the courts will take into consideration the advantages (and consequent expenses) of living in Monaco. Subsequently the amount of living expenses, which can be quite high in Monaco, will be reflected in the child maintenance.

The amount granted is usually based on living costs, which are revised annually in accordance with indexes for urban families (published yearly by the system of economic statistics). In a recent matter, a father of a two-year-old child was ordered to pay a monthly child maintenance of EUR6,000 (*unpublished order*).

22. What is the duration of a child maintenance order (up to the age of 18 years or otherwise)?

After the child reaches 18 years of age, the parent with whom the child habitually resides is no longer entitled to claim child maintenance from the other parent.

However, the parents' obligation to provide financial support to their children continues until the children become financially independent. This obligation does not end automatically when the child reaches 18 years of age. Therefore, child support also extends to child's university education.

23. Can a child (whether of legal maturity or otherwise) make a claim directly against their parents?

Once the child reaches 18, the adult child has legal standing to bring an action for financial support on their own behalf against their parents (*see Question 22*).

This means that the adult child can apply for extended support from the parent(s) for educational costs or living costs if they are otherwise unable to support themselves.

Enforcement of Financial Orders

24. What are the main methods of enforcement to ensure compliance with financial orders following divorce/dissolution in your jurisdiction?

There are specific rules on the enforcement of Monegasque financial orders in relation to family matters.

If a debtor fails to pay maintenance, creditors can request an order to seize the amounts due directly from their salary as well as obtain conservatory measures on a debtor's properties in Monaco.

The non-payment of maintenance for more than two months is a criminal offence.

The assistance of a bailiff (*huissier de justice*) is necessary for any enforcement.

25. What is the legal position on the reciprocal enforcement of financial orders?

The enforcement of foreign financial orders is subject to the general enforcement (*exequatur*) procedure (Articles 13 to 20, MCPIL; Articles 470 and 478 to 486, M CCP). See also *Question 10*.

Monaco has signed a bilateral co-operation convention with France, which sets out simplified procedures for the reciprocal enforcement of financial orders between the two countries.

Monaco is also a signatory of the *UN Convention on the Recovery Abroad of Maintenance 1956*.

Financial Relief after Foreign Divorce Proceedings

26. What powers are available to the court to make orders following a foreign divorce? If such a power exists, what is the legal basis for making such an application?

There are no special provisions under Monegasque law allowing courts to make orders following an overseas divorce.

However, subject to jurisdictional rules, either spouse can apply to the Monaco courts to settle any unresolved matters (or matters which require a judicial review) related to property division, child arrangements or maintenance and so on.

Children

Custody/Parental Responsibility

27. What is the legal position in relation to custody/parental responsibility following the breakdown of a relationship or marriage? Do local courts in your jurisdiction recognise parenthood that has been established in another jurisdiction for the purposes of custody/parental responsibility, maintenance and so on?

General Position for Custody/Parental Responsibility

Parental responsibility (Articles 300 to 332, MCC) is a set of rights and obligations the parents exercise jointly to ensure the wellbeing of their child and their "custody, supervision and education".

The concept includes the parents' rights to:

- Determine the child's residence.
- Oversee and monitor the child's everyday life and education.
- Administer the child's property.

Any decision relating to the child must be taken jointly by both parents or, failing that, by the guardianship judge.

However, if one parent is temporarily unable to exercise this right (in the case of absence, geographical distance or incapacity), joint parental responsibility is temporarily attributed in its entirety to the other parent. The parent unable to exercise parental responsibility still remains

entitled to oversee the child's welfare. Under exceptional circumstances (such as a criminal conviction), parents can have their right to parental responsibility itself partially or totally withdrawn by the judge.

During divorce proceedings, this principle is maintained but its enforcement conditions must be adjusted. Bearing in mind the child's best interests, the parents or the judge must determine the child's principal residence, and the visitation rights of the spouse with whom the child does not habitually reside.

In contentious matters, the court is often assisted by a welfare report prepared by a court-appointed independent professional.

The child can be heard on this matter. Under Article 12 of the UN Convention on the Rights of the Child, the child has the right to express their views freely in all matters affecting them and these views will be given due weight in accordance with the age and maturity of the child.

When both parents share joint parental responsibility, they jointly administer the child's property (legal administration). On the death of one of the parents, or where there is a total or partial withdrawal or loss of parental authority, the legal administration of the child's assets is placed under the supervision of the guardianship judge.

The child's assets are subject to legal administration, except those deriving from a donation/gift or legacy provided that they are administered by a third party.

Following a separation, the exercise of parental responsibility must inevitably be amended to suit the new factual situation. In practice, one parent is granted habitual residence and the other a more or less extensive visitation right.

Law No 1,450 of 4 July 2017 relating to alternating residence (Law 1,450) allows separated parents to apply to the court for habitual residence for their children alternatively at each parent's domicile if the children are more than three years old. Alternating residence requires both parents' agreement.

Parents are encouraged to reach an agreement between themselves. Failing that, the judge decides, bearing in mind the child's best interests.

In a recent matter, the Guardianship Judge (*Juge Tutélaire*) approved a parental convention between same-sex parents.

Parenthood Established in Another Jurisdiction

Parenthood duly established in another jurisdiction, in accordance with the law of that jurisdiction, can be recognised in Monaco, subject to public policy considerations.



28. What is the legal position in relation to access/contact/visitation following the breakdown of a relationship or marriage?

Following a separation, the exercise of parental responsibility must inevitably be amended to suit the new factual situation. In practice, one parent is granted habitual residence and the other a more or less extensive visitation right. In the child's best interest, the court can also grant contact or visitation rights to other persons (such as grandparents).

See also [Question 27](#).

International Abduction

29. What is the legal position on international abduction?

Monaco has ratified the Hague Child Abduction Convention.

Other State Party to Convention

The Monegasque central authority dealing with international abductions is the Department of Justice (*Direction des Services Judiciaires*) (DSJ). In the event of an international abduction, the custodial parent must immediately petition the DSJ. When the child's location is known, the DSJ will alert and liaise with the relevant central authority.

Other State Not Party to Convention

The custodial parent must enforce the Monegasque judgment granting custody or obtain an *exequatur* enforcement order for a foreign judgment. In any event, there are criminal provisions for the abduction or illegal removal of children (Articles 289 to 294, Criminal Code), but there is no published case law on the application of these provisions to custodial parents.

Leave to Remove/Applications to Take a Child Out of the Jurisdiction

30. What is the legal position on leave to remove/applications to take a child out of the jurisdiction? Under what circumstances can a parent apply to remove their child from the jurisdiction against the wishes of the other parent?

In principle, parents share joint parental responsibility (*see Question 27*). On this basis, both parents must consent to the child's relocation abroad.

To remove a child from the jurisdiction against the other parent's wishes, the residential parent must obtain the permission of the guardianship judge, whose main concern is the protection of the child's best interests. Judges recognise that the child's best interests are linked to the possibility of keeping close contact with both parents. They tend to be more lenient if the parent is relocating for professional reasons or if the move does not unduly disrupt the child's life.

Depending on the factual situation, visitation rights can be amended. In such cases, provisions are also made concerning the child's travel expenses, which can be included in maintenance payments or paid directly by either parent.

Surrogacy and Adoption

Surrogacy Agreements

31. What is the legal position on surrogacy agreements in your jurisdiction? Is surrogacy available to individuals and cohabiting couples (both heterosexual and same-sex)?

There are no legal provisions or published case law relating to the validity of surrogacy agreements under Monegasque law. However, following the Concordat signed with the Vatican in 1751, Catholicism is the official state religion in Monaco. This strong Catholic tradition suggests that surrogacy agreements could be considered as contrary to public policy.

Adoption

32. What is the legal position in relation to adoption? Is adoption available to individuals and cohabiting couples (both heterosexual and same-sex)?

Law No 1,470 of 17 June 2019 (Law 1,470) amended the statutory provisions on adoption in view of modernising the rules on adoption and simplifying judicial procedures. Guiding principles of the reform were:

- Greater consideration for the interest of the adoptee.
- The importance of free and informed consent.
- Integrating the adoption into family life.

Full Adoption

Full adoption (*adoption plénière*) under Articles 245 to 269 of the MCC completely severs the adoptee from their biological family and creates a new parentage situation with the adoptive parents, giving the adoptee the same status as a biological child. The full adoption cannot be revoked.

The rules for full adoption are as follows:

- The request can only be filed jointly by a couple who have been married for more than five years.
- One of the two must be more than 26 years old.
- The adoptee must have lived with the family for at least one year before reaching 15 years of age. Their consent is also required if over 13 years of age.
- The adoptee's biological parents' consent is also necessary.
- The adoptive parent must be at least 16 years older than the adoptee (ten years if the adoptee is the child of the adopter's spouse).

Full adoption is not available to singles or cohabiting couples.

Simple Adoption

In a simple adoption (*adoption simple*) under Articles 270 to 288 of the MCC, the adoptee maintains all their rights in their biological family, but the adoptive parents exercise parental authority. A simple adoption can be judicially revoked on serious grounds.

Simple adoption is open to a married couple or a single person over 26 years old. The adoptive parent must be at least 16 years older than the adoptee (ten years if the adoptee is the child of the adopter's spouse).

The adoptee's biological parents' consent is necessary. The adoptee's consent is also required when they are over 13.

Simple adoptions are not available to cohabitating couples.

International Adoptions

Monegasque courts have jurisdiction to order an adoption if the adopter(s) or adopted person are Monegasque nationals or their domicile is situated in Monaco.

The conditions of consent and representation of the adopted person are governed by their national law.

The conditions and effects of adoption are governed by the national law of the adopter. For an adoption by both spouses, the adoption is governed by the applicable law to the personal effects of the marriage. However, the adoption cannot be granted if it is prohibited by the national law of the spouses.

Adoptions of foreign nationals can never be granted if the adoptee's national law prohibits adoption (Article 48, MCPIL). In a case where a Moroccan child "adopted" through the Islamic *kafala* system by a French-Monegasque national subsequently acquired French citizenship, the Court of First Instance ruled that the prohibition under Article 48 of the MCPIL does not apply (*unpublished order*).

The adoption procedure is governed by the *lex fori* (that is, the law of the country where the procedure is brought).

The adoption duly granted abroad is fully effective in Monaco if it is not contrary to public policy.

Monaco has ratified the Hague Adoption Convention.

The DSJ is the designated central authority in charge of overseeing international adoptions.

Cohabitation

33. What legislation (if any) governs division of property and financial claims for unmarried couples on the breakdown of the relationship?

New legal provisions concerning cohabitation were introduced under Monegasque law by Law No. 1,481 of 17 December 2019 on civil solidarity contracts (Law 1.481) (*see Question 36*).

Family Dispute Resolution

Mediation, Collaborative Law and Arbitration

34. What non-court-based processes exist to resolve disputes? Is alternative dispute resolution mandatory? What is the current status of agreements reached through mediation, collaborative law and arbitration?

There are no independent and non-court based processes capable of producing binding results regarding family dispute resolution. However, within the court-based framework, mediation and collaboration between the parties are encouraged and private agreements become binding once they have been judicially approved.

35. What is the statutory basis (if any), for mediation, collaborative law and arbitration?

Family mediation was introduced by Law No. 1.336 of 12 July 2007, which amended the provisions of the MCC relating to divorce and legal separation (and was further amended by Law No 1.450 of 4 July 2017 on alternating residence).

There is no mandatory requirement under Monegasque law to attempt family dispute resolution in advance of the institution of proceedings.

In divorce cases, to avoid lengthy and costly proceedings, spouses are entitled (and are encouraged) at any time, to submit a private agreement concerning the consequences of the divorce, for judicial approval.

Mediation is also built into the judicial process. When a spouse files for divorce, both spouses are summoned to a "conciliation" hearing to attempt reconciliation. If this fails, the judge issues a non-conciliation order (*ordonnance de non conciliation*) and the spouses can then file for divorce.

At any time during the divorce proceedings, spouses can be advised or ordered to resort to family mediation.

Parties are encouraged to use court-based mediation and reach a mediation settlement agreement negotiated with the assistance of their lawyers.

Concerning parental authority, the guardianship judge can advise or order parents to resort to family mediation to find a consensual settlement in the child's best interest.

Lawyers play an essential role in helping their clients reach out-of-court settlements.

Civil Partnership/Same-Sex Marriage

36. What is the status of civil partnership/same-sex marriage? What legislation governs civil partnership/same-sex marriage?

Monegasque law does not recognise same-sex marriages and considers them null and void.

To comply with the European Convention on Human Rights (ECHR) case law, Monaco adopted Law 1.481. This sets out a legal protection framework for family life other than marriage, by recognising both common-law unions and intra-family cohabitation. This new law created two different types of contracts:

- **Cohabitation agreement.** This is available to two members of the same family living under the same roof (cohabitants).
- **Living together contract.** This is available to persons living in a common-law union, regardless of their sex (partners).

Unlike marriages, these contracts do not create any extra-patrimonial consequences and do not impact personal status. However, they do grant certain legal protections and social rights to partners and cohabitants.

Civil solidarity contracts must be drawn up by notarial deed. They can be terminated by a simple unilateral declaration to the notary who registered the deed, served on the other partner or cohabitant.

In relation to the effects in the principality of a foreign contract relating to the organisation of the common life or cohabitation of partners or cohabitants, Law No. 1.481 provides that they cannot exceed those provided for by Monegasque law for civil solidarity contracts.

Media Access and Transparency

37. What is the position regarding media access to and press reporting of family law cases?

Family proceedings are generally conducted in private. Divorce cases and child-related matters are always heard in private.

The parties to divorce proceedings have a duty of confidentiality. Divorce hearing arguments and written submissions and exhibits filed by the parties to divorce proceedings are confidential.

The reproduction of hearings is prohibited and disclosing divorce documents is a criminal offence. This prohibition aims to protect the privacy of parties to divorce proceedings and their right to respect for private and family life.

Succession Rights on Divorce/Dissolution

38. How does divorce impact succession and estate planning in your jurisdiction?

Under Monegasque law, a spouse's legal succession rights are extinguished on divorce. However, divorce does not affect the validity of existing wills.

The surviving spouse is not a forced/reserved heir under Monegasque law.

Controversial Areas and Reform

39. What areas of the law (if any) are currently undergoing major change? Which areas of law are considered to be particularly controversial?

The following areas of law are relevant:

- The codification of the conflict of law and jurisdiction rules following the enactment of the MCPIL brought major changes affecting all areas of private law. The MCPIL has been in force since 8 July 2017, but case law is still scarce and there is some uncertainty regarding the interpretation of the new private international law rules by the courts.

- Given the growing consensus that cohabitation needed to be regulated in light of the changing social realities and the increasing frequency of cohabitation of both heterosexual and same-sex couples, legislation was introduced to fill the existing legal void (Law 1,481). However, in the absence of case law, there is some uncertainty as to the recognition in Monaco of the effects of foreign partnerships and cohabitation agreements.
- Law 1,450 relating to alternating residence now gives more options to separated parents in determining the children's habitual residence (*see Question 28*).
- The statutory provisions on adoption were recently amended by Law 1,470 (*see Question 32*).
- Legislation was introduced to amend the provisions of the MCC relating to the judicial protection of adults (Law No. 1,474 of 2 July 2019 on judicial protection (*sauvegarde de justice*), the enduring power of attorney and the exercise of the activity of the judicial representative for the protection of persons). These legal provisions allow individuals to make advance arrangements for their care or representation, or both, in the event of incapacity.
- The law relating to access to evidence in divorce cases is in need of reform.

In Monaco, the person requesting financial support in divorce proceedings bears the burden of proof regarding the other spouse's financial means (that is, the spouse requesting financial support following the divorce proceedings must prove the existence and extent of the other spouse's financial capabilities, to convince the judge what financial support should be ordered). However, the elements of proof required are difficult to access, especially considering the private and sensitive nature of this kind of information. The court can order expert assessments, which can be quite extensive (*see Question 17*). Unfortunately, the experts are often faced with various obstacles, such as:

- banking secrecy laws;
- client privilege rules (for example, accountants); and
- mechanisms set up to conceal assets (for example, shell companies, trust funds and so on).

Experts often do not investigate beyond the prima facie evidence they are given. Despite the judges' efforts to broaden experts' powers of investigation, this remains limited as it is difficult to compel a party to reveal information.

The recent criminalisation of fraudulent organisation of insolvency introduced by Law No. 1.494 of 8 July 2020 could have an impact on the enforcement of financial orders.

Contributor Profiles

Christine Pasquier Ciulla, Partner

CMS Pasquier Ciulla Marquet Pastor Svava & Gazo

T +377 97 98 42 24

F +377 97 98 42 25

E christine.pasquierciulla@cms-pcm.com

W <https://cms.law/en/mco/people/christine-pasquier-ciulla>

Professional and academic qualifications. Monaco Bar, 1988; Chevalier dans l'Ordre de St Charles (Award)

Areas of practice. Personal law; family law; private international law; trusts and estate law.

Recent transactions

- Advising and representing foreign and Monegasque private clients, including high-net worth individuals (HNI) and ultra-high-net worth individuals (UHNI), in a number of international divorce proceedings raising issues of private international law and involving the laws of multiple jurisdictions.
- Advising and representing foreign and Monegasque private clients, including HNIs and UHNIs, in complex cross-border succession matters involving the laws of multiple jurisdictions.
- Advising and representing UHNIs in a variety of mandates relating to personal law, matrimonial law and trusts and estate-planning.

Professional associations/memberships. Member of Monaco parliament, Chair of the Commission for Family Rights and Equality ; STEP; IAFL; Association des Femmes Chefs d'Entreprise de Monaco; Fight Aids Monaco

Languages. French (native); English (fluent); Italian (basic)

Publications

- *Monaco Chapter in Private Clients Getting the Deal Through, Law Business Research Ltd (2017 to 2023).*
- *Trust law: a Monaco perspective, International Family Law Journal (2022).*
- *Feu le principe de non-rétroactivité de la loi à Monaco ?, Recueil Dalloz no33 (2021).*
- *Monaco Chapter, Family Law Global Guide, 2nd to 4th editions, Thomson Reuters (2013-2021).*
- *Monaco Chapter, in Private Clients Comparative Guide, The Legal 500 (2017 and 2019).*

- *L'impact de la réforme du droit international privé monégasque sur les conventions matrimoniales, le divorce, et les successions (The impact of the private international law reform in Monaco on marriage contracts, divorces and successions)*, *AJ Famille, Dalloz, April 2019*.
- *Pole Position on PIL, STEP Journal, April 2018*.
- *Le Code Monégasque prend la Route du Règlement Européen sur les Successions: Un chemin parsemé de différences (The Monegasque Code takes the road of the EU Regulation in matters of succession: A path dotted with differences)*, *Gazette du Palais No 41, 28 November 2017*.
- *Divorce dans le monde (Divorce Around The World)*, *AJ Famille, Dalloz, November 2015*.

Regina Griciuc, Counsel

CMS Pasquier Ciulla Marquet Pastor Svava & Gazo

T +377 97 98 42 24

F +377 97 98 42 25

E regina.griciuc@cms-pcm.com

W <https://cms.law/en/mco/people/regina-griciuc>

Professional qualifications. Advanced Certificate in Trust Disputes, Society of Trust and Estate Practitioners, STEP, 2016; Master's Degree in Advanced International and European Studies, *Institut Européen des Hautes Etudes Internationales* (European Institute of International Studies), Nice, France, 2011; European Master's Degree in Law and Economics, LLM, Erasmus University of Rotterdam, The Netherlands and the University of Bologna, Italy, 2010; Licentiate in Law, International University of Moldova, Moldova, 2008.

Areas of practice. Marriage contracts; cross-border estate-planning; inheritance; trusts.

Recent transactions

- Advising on an international estate case raising issues under the laws of multiple countries and involving contentious proceedings in various jurisdictions.
- Advising UHNIs on various cross-border mandates.

Languages. Romanian (native); Russian (native); French (fluent); English (fluent); Italian (basic)

Publications

- *Mondaq: Private Client Comparative Guide (2021)*.

- *Monaco Chapter in Private Clients Getting the Deal Through, Law Business Research Ltd (2017 to 2020) (co-authored with Christine Pasquier Ciulla).*
- *Monaco Chapter, Family Law Global Guide, 3rd, 4th and 5th editions, Thomson Reuters (2015, 2018 and 2021) (co-authored with Christine Pasquier Ciulla).*
- *Monaco Chapter, in Private Clients Comparative Guide, The Legal 500 (2017 and 2019) (co-authored with Christine Pasquier Ciulla).*

Amelie Pouyau, Associate

CMS Pasquier Ciulla Marquet Pastor Svava & Gazo

T +377 97 98 42 24

F +377 97 98 42 25

E amelie.pouyau@cms-pcm.com

W <https://cms.law/en/mco/people/amelie-pouyau>

Professional qualifications. Master's Degree in Business Law/Vine and Wine Law, University of Bordeaux, France, 2017; Erasmus Master's Degree in General Private Law, Queen's University, Belfast, UK, 2016; Licentiate in General Law, University of Bordeaux, France, 2015.

Areas of practice. Divorce; parental authority; criminal family law; protection of vulnerable individuals.

Recent transactions

- Advising UHNIs in international divorce proceedings raising issues of private international law and involving the laws of multiple jurisdictions.
- Advising HNIs on accommodation rights.

Languages. French (native), English (fluent)

**END OF
DOCUMENT**