



TRIBUNAL ADMINISTRATIF
DE PARIS



Welcome !

Upholding the Citizen's rights

The Administrative Tribunal makes sure the administration complies with the law. Only a specialized judge, who understands the public interest, can judge the administration and protect citizens effectively.

The Administrative Tribunal adjudicates applications brought against the administration, whether it be ministerial departments, local administrations, town or district councils, public operators – including hospitals –, sports federations... disputes can concern benefits, health, environment, urban planning, freedom of religion, immigration law, civil liberties... The Administrative Tribunal is a court of original jurisdiction: when applicants

disagree with its decisions they can bring their case before an administrative court of appeal, or the Council of State directly in some instances.

Cases are usually adjudicated by a three-judge panel. The judges' independence is secured by statute, namely through the principle of irremovability of magistrates.

Since the law of June 30, 2000, the administrative judge can hear cases in an emergency procedure. Sitting alone, the judge can suspend the execution of an act or order any necessary measure for the protection of a fundamental right. In these emergency procedures, the judge adjudicates disputes relating to matters under heavy public scrutiny

– restrictions of public protests; withdrawal of life-prolonging treatments; emergency housing; expulsion of foreigners posing a security threat –, thereby making these emergency applications both paramount for the protection of civil liberties and highly sensitive politically.



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A Brief History of the Tribunal

The Councils of Prefecture

Following the Revolution, the administration grew increasingly strong and centralized. It sought to contain the judiciary's powers, so as to prevent it from interfering with the executive branch's action. However, because the royal administration had used to adjudicate disputes against its own decisions – especially in the matter of tax law – a reputation of arbitrary authority was built around the Old Regime – the absolute monarchy of the early modern period –, and loomed over the revolutionary regime's reforms.

With its law of February 19, 1800, the Consulat – Napoleon's pre-imperial government –

balanced administrative efficiency and judicial control mechanisms by creating a specific judiciary body: the councils of prefecture.

Bound to every prefect (*préfet*), local representatives of the central government, and counting one for each district (*département*), the councils of prefecture advised the prefect and adjudicated disputes arising from his decisions. It acted as a court of original jurisdiction over a limited number of matters, including taxes, public works and public contracting. Hence, the council of prefecture of the Seine – former *département* covering Paris and its outskirts – is the tribunal's predecessor.



"In each district, there shall be a prefect, a council of prefecture and a general district council"

Law of February 17, 1800, regarding the division of the Republic's territory and administration.

The Paris Administrative Tribunal

Soon after World War II, a law of 1953 entirely reorganized the administrative justice system, replacing the councils of prefecture with the current administrative tribunals. These tribunals were given broad authority, and became the ordinary courts of original jurisdiction in all fields of administrative law.

The Paris Administrative Tribunal stood out among the others, because it dealt with a much larger stream of applications. This owed to the territorial scope of its jurisdiction, which covered the highly populated Paris metropolis. The Tribunal was faced with a difficult task: adding to its broad territorial jurisdiction, its stock of cases was laden with those formally pending before the council of prefecture, which was already overwhelmed by applications.

The rule according to which a claim must be brought before the court in whose jurisdiction the concerned administration had its seat further increased the burden because of the concentration of ministerial departments within the bounds of Paris – a result of France's long-time policy of centralization.

Seventy years after its creation, the Paris Administrative Tribunal still faces a flow of applications far greater than that of the other administrative tribunals. However, thanks to the creation of other tribunals in the Paris metropolitan area, as well as to the increase of the tribunal's staff and a change in territorial jurisdiction principles, the Paris Administrative Tribunal has a positive coverage ratio. Today, the average time period for a decision to be handed down is contained to two years.

“The councils of prefecture of continental France, Algeria and the overseas districts, as well as the Alsace and Lorraine Administrative Tribunal, are now named Administrative Tribunals. For each of them is added the name of the town in which they have their seat. Their decisions are handed down in the name of the people and must be enforced”.

Law of September 30, 1953, regarding the reform of administrative disputes adjudication.

Visiting the Hôtel d'Aumont

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1. The Hôtel d'Aumont in the 17th and 18th centuries

In the early 15th century, a property called The Dice (*le Dé*) stood on the tribunal's current location. It belonged to a family of magistrates, the Cousinots. From 1631 to 1648, Michel-Antoine Scarron, advisor to the king, built the mansion (*hôtel*) we see today, probably according to plans designed by François Mansart and Le Vau

Thereafter, Scarron's son in law, the Duke of Aumont, moved in. The *hôtel* belonged to the Aumonts for five generations, until 1756. It then passed on to several owners, such as Pierre Terray, royal justice from 1743 to 1749, and General Prosecutor for the tax courts until 1780. It was the last family to give the *hôtel* luster before the Revolution.

2. The Hôtel d'Aumont in the 19th and 20th centuries

The Central Pharmacy acquired the building in 1859: the gardens were replaced by warehouses, workshops, laboratories and packing facilities. The *hôtel's* ornated salons were changed into offices, apartments and storage rooms.

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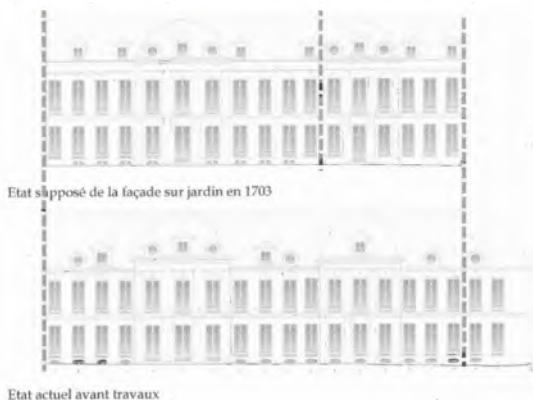


In 1938, the *hôtel* d'Aumont was in a state of considerable decay, not unlike the rest of the neighborhood – the southern part of the Marais –, branded "insalubrious bloc n°16". The Paris Town Council bought the building and decided its protection under heritage regulations, on April 4, 1946. Following a decision of June 28, 1956, the Town Council authorized the prefect to transfer the Administrative Tribunal within the mansion's premises, while the district council (*département*) agreed to invest some 300 million Francs for its renovation. The renovation proved very substantial and lasted from 1957 to 1963. Only then were the judges and clerks allowed to settle in.



3. The garden-facing facade

In 1703, Antoine Aumont's son Louis-Marie Victor decided to extend the main building towards the East, between the garden and the rear courtyard, by adding six bays to the facade overlooking the garden. The projecting pavilions, thought to be outdated, were torn down and the six new bays were harmoniously connected to the eleven pre-existing ones. The facade now sports two projections on each side of the rear building. Overlooking the garden, early XVIIIth century balconies are monogrammed with Louis-Marie d'Aumont's initials, LMDA. Somewhat compromising the architectural balance designed by d'Aumont, the facade was once again extended towards the East during the 1950's renovation in order to host a courtroom.



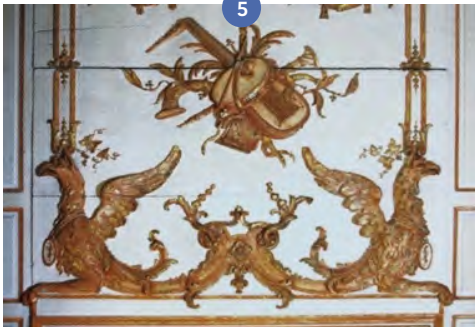
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4. The « beams room »

On the second floor of the left wing, the deliberation room sports a remarkable French ceiling, uncovered in 1949 during the first phase of the renovation. The beams are finely painted with still-lives and are monogrammed with Scarron's initials (MAS) as well as Antoine d'Aumont de Rochebaron's (ADR), which are thought to have been added at a later date. The joists display simpler adornments. The walls were originally entirely painted, and a single row of windows gave unto the main courtyard, the windows on the East side only being added after the rear courtyard was built.

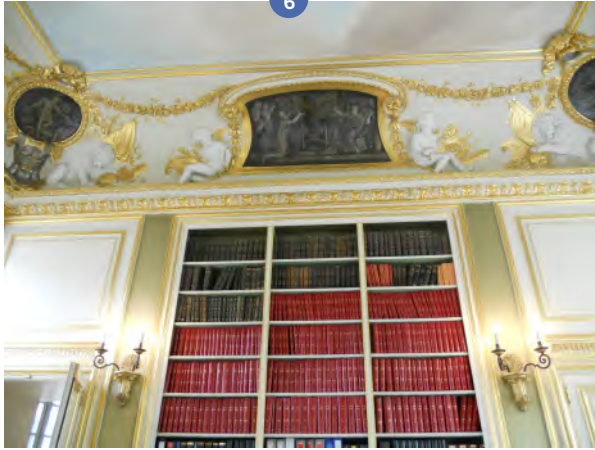
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5. The modern study

In the new wing, the modern study, which hosted the duchess' apartment, was restored to its erstwhile splendour. The panellings have been recreated based on the patterns drawn on the walls by the previous decorators. The ornate lintel, adorned with glistening griffins and cascading musical instruments, bears testimony to the elegance and refinement of the Louis XV style. The room now serves as the president's study.

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6. The Duc d'Aumont's bedchamber

The Duc d'Aumont's bedchamber stands in the main building, now serving as the Tribunal's library. Le Brun, court painter to Louis XIV, painted an « Apotheosis of Romulus » on the room's ceiling circa 1662. It was replaced by a painted sky sometime during the 18th century. Fortunately, the finely painted and sculpted arches remain untouched.

7. The main courtyard

The courtyard is typical of 17th century architecture. It is composed of four buildings surrounding the main courtyard: one giving unto the street, two wings, and, at the back, the main building. The two wings consist of a ground floor separated by four arches topped by attics. Both these wings and the facade overlooking the street are decorated with rather thick and imposing garlands and mascarons, which are the sole remaining elements of Mansart's original design.

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