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## What if support is not paid?


Verified 07 mai 2019 - Directorate for Legal and Administrative Information (Prime Minister)

As creditor, you can obtain the recovery of arrears of maintenance fixed by a court order, if your debtor does not pay or improperly pay support.

You have several ways to get this payment:

- entrust recovery to the Caf (or MSA) (<https://www.service-public.fr/particuliers/vosdroits/F1002?lang=en>).. It is possible to initiate this procedure as from 1<sup>st</sup> unpaid or 1<sup>st</sup> partial payment. The Caf or the MSA takes care of recovering maintenance unpaid up to 2 years.
- or commit direct payment procedure (<https://www.service-public.fr/particuliers/vosdroits/F998?lang=en>) by appealing to a judicial officer. It is possible to initiate this procedure as from 1<sup>st</sup> unpaid or 1<sup>st</sup> partial payment. This procedure covers unpaid maintenance payments in the future and those dating from 6 months or less.
- or request a judge wage attachment (<https://www.service-public.fr/particuliers/vosdroits/F115?lang=en>) by application to the court registry.
- or obtain bank account entry (<https://www.service-public.fr/particuliers/vosdroits/F1850?lang=en>) or foreclosure (<https://www.service-public.fr/particuliers/vosdroits/F1751?lang=en>) by appealing to a judicial officer.
- or entrust collections to the public purse (<https://www.service-public.fr/particuliers/vosdroits/F1000?lang=en>), after one of the previous procedures has failed.

The limitation period for an action for payment of maintenance arrears is 5 years.

 **Please note** : the offense of abandonment of a family may also be committed against the debtor. This offense is punishable by 2 years' imprisonment and €15,000 fine.

### Statute and miscellaneous references

- Civil Code: rule 2224  ([https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070721/LEGISCTA000019016471](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070721/LEGISCTA000019016471))  
*Deadline and starting point*
- Penal Code: Articles 227-3 to 227-4-1  (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006165318&cidTexte=LEGITEXT000006070719>)  
*Family Abandonment*