Gaëtan **ESCUDEY**

Avocat (French attorney) at the Paris Bar · PhD in Law · Mediator listed by the CNMA

International family law · Couples, children, property



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Profile

Avocat (French attorney) at the Paris Bar and international family mediator, I practice exclusively in international family law for French, expatriate and binational families: international divorce and separation, children's residence and relocation, matrimonial property regimes and assets in several countries.

Education and degrees

2022 **University diploma in arbitration practice**, Université Paris-Saclay (UVSQ)

2021 **Cross-Border International Family Mediation**, UC Hastings College of the Law, San Francisco

2020 **University diploma in mediation**, IFOMENE, Institut catholique de Paris
Thesis: *International family mediation*

2019 **Diploma for lawyers practicing ADR**, IDFP and French Association of Collaborative Practitioners (AFPDC)

2019 **French bar admission certificate (CAPA)**, Paris Bar School; **winner of the Violette Gorny Prize** for the best family law graduate
Thesis: *Clauses anticipating marital breakdown*

2017 **Qualified for associate professor positions** in private law and criminal sciences (French National Council of Universities, CNU)

2017 **Attendee, The Hague Academy of International Law**

2016 **PhD in private law and criminal sciences**, University of Bordeaux
Doctoral thesis: *Le couple en droit international privé* (Couples in private international law)

2012 **Master's degree in International and European Law**, University of Bordeaux
Thesis: *The recognition of same-sex couples under European law*

2010 **Certificate in English Law**, University of Birmingham (United Kingdom)

2009 **Bachelor's degree in Law and Political Science**, University of Bordeaux

Professional experience

Since 2022 — **Founder, Cabinet Escudey** (sole practice), Paris
Advice and litigation in cross-border separations; negotiation; private international law opinions for lawyers and notaries (notaires); legal opinions for lawyers abroad.

Since 2021 — **Mediator listed by the CNMA (French national lawyers' mediation centre)**
Family and property mediation, domestic and international, in English and French; international property mediation in co-mediation with a notary.

2019 – 2022 — **Associate, Mulon Associés**, Paris
In charge of international cases: international divorce and separation, international child abduction, cross-border property settlements and enforcement, legal opinions for foreign lawyers.

2019 — **Trainee lawyer, then legal counsel, Mulon Associés**, Paris
Preparation of conferences and courses on international family law; legal research; interim hearings; drafting of private international law submissions.

2018 — **Judicial trainee, Family Division of the Paris Court of Appeal**
Drafting of draft judgments on jurisdiction, applicable law and recognition of foreign decisions; update of the court's template on the law applicable to matrimonial property.

2018 — **Trainee lawyer, CBBC Avocats**, Paris
International family law cases; introduction to principled negotiation and out-of-court dispute resolution.

2012 – 2017 — **Doctoral fellow, then temporary lecturer and researcher (ATER), University of Bordeaux**
Doctoral thesis, teaching, individual and collective research projects.

Teaching

Since 2020 — **Paris Bar School (EFB)**: separation of international couples; international estate and matrimonial planning; international family law; international family mediation and the lawyer's role in mediation; negotiation techniques; collaborative practice and participatory procedure (procédure participative); agreement to mediate; the range of ADR tools available to lawyers.

2021 – 2023 — **IXAD, Lille (regional bar school)**: conducting a negotiation and ADR strategy.

2019 – 2021 — **Institut supérieur du droit, Paris**: family law and matrimonial property regimes.

2018 – 2022 — **University of Bordeaux, Master's degree (2nd year)**: international family law in practice.

2022 — **Bordeaux Summer University**: international child abduction.

2016 — **Belarusian Center, Minsk, Master's degree (1st year)**: European private international family law.

2012 - 2017 **University of Bordeaux**: private international law (Master's, 1st year), law of obligations (Bachelor's, 2nd year), law of persons and family (Bachelor's, 1st year).

Conferences and speaking engagements

2026 Family mediation: comparative practice in France, England and Wales, and Scotland, London, December 11, 2026, at the invitation of AFP Bloom LLP (upcoming).

2026 "Out-of-court dispute resolution across borders: France, England, Hong Kong," IDFP private international law webinar, with Sarah-Jane Tasteyre, October 16, 2026.

2026 Mediation Week of the Paris Judicial Court and the Paris Bar: family law workshops (parental authority, property), October 12 and 14, 2026.

2022 Mediation and the separation of international couples, IFOMENE 93rd Mediation Café.

2021 Comparative law of international divorce proceedings, French Family Law Summit (États généraux du droit de la famille), January 28, 2021.

2020 The consequences of Brexit for family matters, annual meeting of the European Judicial Network in civil and commercial matters.

2017 Study day on non-judicial divorce, University of Bordeaux (CERFAPS), round table on drafting the divorce agreement, January 13, 2017.

2015 International conference on the mutual recognition of family institutions between Europe and the Maghreb, University of Bordeaux, April 23-24, 2015.

2013 Bordeaux Summer University on the European Union and the Americas: conference on assisted reproduction, University of Bordeaux, April 3, 2013.

Selected publications

Doctoral thesis

— *Couples in Private International Law: A Contribution to Adapting the Private International Law of Couples* (Le couple en droit international privé), PhD thesis, University of Bordeaux, 2016, open access (theses.fr, record 2016BORD0301).

Articles

— A Plea for the Amicable Resolution of International Family Disputes, *Revue Droit de la famille*, LexisNexis, July 2021, No. 7/8.

— Promoting and Regulating ADR: The Report of the Paris Court of Appeal, *Gazette du Palais*, 2021, No. 2, p. 50.

— The Consequences of Brexit for Family Matters, *Gazette du Palais*, 2021, No. 1, p. 55.

— The Innovations of the Recast of the Brussels II bis Regulation of June 25, 2019, *Lexbase Hebdo, édition privée*, September 2019, No. L9432LQE.

— Should Prenuptial Agreements Be Allowed to Include Clauses on Marital Breakdown?, *Revue Droit de la famille*, December 2019, No. 12, p. 22, study No. 17.

- Same-Sex Marriage and the Coordination of National Legal Systems through Human Rights and Private International Law, *Actes des Universités d'été de Bayonne*, Pedone, 2016, pp. 225-241.
- Same-sex Marriage in France and its International Repercussions, *Montesquieu Law Review*, October 2015, No. 3, pp. 103-112.
- Overcoming the Obstacles to the Mutual Recognition of Family Institutions between Europe and the Maghreb, *Revue Droit de la famille*, September 2015, art. No. 49.
- Divorce: A Case Study, in *Les annales du droit, Introduction au droit et droit civil*, Dalloz, 2015, pp. 112-124.
- Assisted Reproduction and European Law, *Revue des droits et libertés fondamentaux*, March 2013, column No. 9.

Case notes

- International Consequences of Changing a Child's Residence during Proceedings, case note on French Supreme Court (Cour de cassation), 1st Civil Chamber, September 30, 2020, No. 19-14.761, *Gazette du Palais*, January 2021, No. 1, p. 74.
- Sharia Law Applied to an Inheritance Despite the Testator's Wishes, case note on Cass. 1st Civ., March 18, 2020, No. 19-50.031, *Gazette du Palais*, July 7, 2020, No. 25, p. 73.
- The Birth Certificate of a Child Born through Assisted Reproduction Can Now Be Transcribed, case note on Cass. 1st Civ., December 18, 2019, Nos. 18-14.751 and 18-50.007, *Gazette du Palais*, April 7, 2020, No. 14, p. 77.
- Freedom to Marry and the Continuity of Marital Status Uphold the Validity of a Marriage between In-Laws, case note on ECtHR, September 5, 2019, No. 57854/15, Theodorou and Tsotsorou v. Greece, *Journal d'actualité des droits européens*, December 20, 2019.
- Determining International Jurisdiction in Succession Matters, case note on Cass. 1st Civ., May 29, 2019, No. 18-13.383, *Lexbase Hebdo, édition privée*, September 2019.
- Refusing Enforcement (exequatur) of a Foreign Judgment over Doubts on Maternity Amounts to a Review on the Merits Contrary to the Franco-Moroccan Convention, case note on Cass. 1st Civ., March 20, 2019, No. 18-50.005, *Gazette du Palais*, July 2019, No. 24, p. 62.
- The New Face of European Lis Pendens: From the Race to the Court to the Race to Judgment, case note on CJEU, January 16, 2019, Case C-386/17, *Gazette du Palais*, April 2019, No. 14, p. 58.
- Foreign Overriding Mandatory Rules in Contract Matters: Application or Taking into Account?, case note on CJEU, Nikiforidis, *GDR-ELSJ*, April 25, 2017.
- A New Definition of Member States' International Public Policy by the Court of Justice of the European Union?, case note on CJEU, July 16, 2015, Diageo Brands v. Simiramida, Case C-681/13, *Journal d'actualité des droits européens*, October 2015.
- Legal Recognition of Same-Sex Couples in Europe: How Far Will the European Court of Human Rights Go?, case note on ECtHR, July 21, 2015, Oliari v. Italy, Nos. 18766/11 and 36030/11, *Journal d'actualité des droits européens*, October 2015.
- Refusal of Maternity Leave to a Woman Who Had a Child through a Surrogate Mother, case note on CJEU, March 18, 2014, Z. v. A Government Department and the Board of Management of a Community School, Case C-363/12, and C. D. v. S. T., Case C-167/12, *Journal d'actualité des droits européens*, April 2014.
- Non-Discrimination versus Subsidiarity: The Unjustifiable Exclusion of Same-Sex Couples from the Greek Civil Union, case note on ECtHR, November 7, 2013,

Vallianatos v. Greece, Nos. 29381/09 and 32684/09, *Journal d'actualité des droits européens*, January 2014.

- Same-Sex Marriage and the New International Public Policy: A Surprising Paradigm Shift!, case note on Chambéry Court of Appeal, October 22, 2013, *Revue des droits et libertés fondamentaux*, column No. 27, November 2013.
- Recognition of Same-Sex Adoption by the European Court of Human Rights: A Delicate Exercise!, case note on ECtHR, February 19, 2013, X. v. Austria, No. 19010/07, *Journal d'actualité des droits européens*, April 2013.
- Is the Ban on Adopting Children Placed under Kafala Compatible with the European Convention on Human Rights? Reflections from Private International Law, case note on ECtHR, October 4, 2012, Harroudj v. France, No. 43631/09, *Journal d'actualité des droits européens*, December 2012.

Titles translated from French; journal names and references are given as published.