

99046013001000

Judicial dunning process (payment order)

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Modul	Sachverhalt
Leistungsschlüssel	99046013001000
Leistungsbezeichnung I	Judicial dunning process (payment order)
Leistungsbezeichnung II	Judicial dunning process (payment order)
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	• §§ 688 bis 703d Zivilprozessordnung (ZPO) – Mahnverfahren • § 46a und § 48 Absatz 1a Arbeitsgerichtsgesetz (ArbGG) – Mahnverfahren, Zuständigkeit • § 32 Anerkennungs- und Vollstreckungsausführungsgesetz (AVAG) • § 75 Auslandsunterhaltsgesetz (AUG) Auslandszustellung • § 1 Gerichtskostengesetz (GKG) – Geltungsbereich • § 3 GKG – Höhe der Kosten • Anlage 1 zu § 3 GKG
Teaser	The judicial dunning procedure enables you to have a claim for payment of a certain sum of money enforced quickly and easily. You can save yourself a time-consuming legal action by using the dunning procedure.
Volltext	The judicial dunning procedure enables you to have a claim for payment of a certain sum of money enforced quickly and easily. You can save yourself a time-consuming legal action by using the dunning procedure.
Erforderliche Unterlagen	written request (form or online reminder request)
Voraussetzungen	You have checked that your claim (still) exists and that no objections from the debtor are to be expected.
Kosten	Court costs: Calculation in accordance with the Court Costs Act, based on the respective value in dispute
Verfahrensablauf	You must submit an "application for a payment order". There are the following options for this in the local court dunning procedure: • written application by post. To do this, you can either use the form with corresponding completion instructions (available in stationery shops) or complete and print out the online reminder application.

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- electronically using the online dunning application, which is transmitted in encrypted form to the dunning court via the Internet. However, you will need a card reader and a signature card to be able to submit applications via the electronic court mailbox (EGVP).
- with a CD that can be submitted to the court (you must use the appropriate software for this)
- The dunning application can also be submitted to the clerk of the registry of any local court. The clerk will then fill out the official form together with you.

You cannot use the online dunning application in labour court dunning proceedings; here you must submit the official form to the competent labour court.

Note: Lawyers and debt collection companies are obliged to submit the application in machine-readable form (exception: labour law disputes).

The application must be submitted to the court responsible for the applicant's place of residence or domicile. For applicants from Saxony, this is the Local Court of Aschersleben as the Joint Court of Order for Payment of the States of Saxony-Anhalt, Saxony and Thuringia.

Service of the order for payment

If the application has been duly filed, the court will issue an order for payment and serve it on the opponent. This contains a request to pay the debt within two weeks (in the case of a labour law dispute: within one week; if served abroad: within one month) or to object to the order for payment.

If the debtor does not object, you can apply for an enforcement order. However, if an objection is lodged against the order for payment, the dunning procedure will be transferred to litigation proceedings.

Bearbeitungsdauer

Frist

none

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weiterführende Informationen	
Hinweise	In labour court dunning proceedings, the procedural fee is generally only incurred with the application for an enforcement order. The local court includes the court costs of the dunning procedure in the order for payment. They must be paid by the debtor together with the principal claim. If the claim is justified, the debtor must also reimburse the court costs incurred.
Rechtsbehelf	no information
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	