

99046040088000

Judicial measures for protection against violence and stalking - apply for an order

Heruntergeladen am 13.07.2025

<https://fimpportal.de/xzufi-services/926-99046040088000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99046040088000
Leistungsbezeichnung I	Judicial measures for protection against violence and stalking - apply for an order
Leistungsbezeichnung II	Judicial measures for protection against violence and stalking - apply for an order
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen - Gewaltschutzgesetz (GewSchG)
Teaser	Are you a victim of violence (including domestic violence) or stalking?
Volltext	<p>Are you a victim of violence (including domestic violence) or stalking?</p> <p>You can apply for civil court orders to protect yourself from the perpetrator.</p> <p>The court can prohibit the perpetrator from doing the following in particular:</p> <ul style="list-style-type: none"> • to enter the victim's home • to stay within a radius of the victim's home determined by the court • to stay in places where the victim regularly spends time (e.g. the victim's workplace, the victim's children's kindergarten or school, leisure facilities, relatives' homes) • Contact the victim (including by telephone, letter, email, social media) • bring about a meeting with the victim If an accidental or induced meeting occurs, the perpetrator must leave immediately. <p>Depending on the individual case, the court may issue further protection orders make.</p>
Erforderliche Unterlagen	none
Voraussetzungen	Protection orders can be considered if the perpetrator

Modul

Sachverhalt

- has intentionally violated the body, health, freedom or sexual self-determination of the victim (e.g. by using violence),
- has unlawfully threatened to do so,
- has and intentionally entered the victim's home or property, or
- unlawfully and wilfully harassed the victim unreasonably by repeatedly stalking them against their express will or by following them by means of long-distance communication (e.g. telephone, text message) .

It does not matter whether the parties involved know each other or not. An application can also be considered if the parties involved are married or live in the same household.

Kosten

As a rule, there are no court costs for the victim in the first instance. However, the court can impose costs. For example, if your application had no prospect of success from the outset and you had to recognise this. If you pursue compulsory enforcement to enforce the protective order, you may incur costs if these cannot be collected from the opposing party or the defendant. However, you can also apply for legal aid for individual enforcement measures if necessary.

Verfahrensablauf

You must apply to the family court for protection orders.

You can submit the application

- by written application or
- orally for the record at the registry of a local court.

You can also use sample wording to help you. Sample forms for applications for protection can be found, for example, on the website of the Berlin Initiative against Violence against Women - BIG e.V. An oral hearing is usually held before a judge. The court hears the arguments of each party and decides on the application.

The court sets a specific duration for all orders. An extension is possible at the request of the victim.

Modul	Sachverhalt
Bearbeitungsdauer	
Frist	none
weiterführende Informationen	
Hinweise	<p>The nationwide help hotline "Violence against women" offers free advice from qualified counsellors around the clock on 08000-116 016 and on the website.</p> <p>As a victim of criminal offences involving the use or threat of violence or stalking, you can contact the Weißer Ring e.V. (White Ring Association). The employees of this organisation</p> <ul style="list-style-type: none"> • advise victims of crime, • help you deal with the authorities (including the court) and • accompany you to court hearings on request.
Rechtsbehelf	In the event of a negative decision, you should seek legal advice.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	