

99046011002000, 99046011002000

Request divorce maintenance from the court

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/117124233/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99046011002000, 99046011002000
Leistungsbezeichnung I	Request divorce maintenance from the court
Leistungsbezeichnung II	Enforcement of postmarital spousal maintenance
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Festsetzung (002)
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)

Modul	Sachverhalt
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	06.07.2021
Fachlich freigegeben durch	Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG013202377 https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_112.html https://www.gesetze-im-internet.de/famfg/_113.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/famfg/_231.html https://www.gesetze-im-internet.de/famfg/_232.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG013202377
Teaser	If you and your former partner are legally divorced and you are unable to support yourself, you can ask your partner for reasonable maintenance.
Volltext	If you and your divorced partner are unable to agree on an appropriate amount of maintenance, you can assert your claim for maintenance in court. The procedure for such court proceedings is essentially based on the regulations applicable to civil proceedings. The divorcee's maintenance claim is calculated in accordance with the recognized principles of maintenance calculation, which fill out the undefined legal terms of maintenance law. For details, please contact a lawyer. Further information can also be found in the maintenance law guidelines of the higher regional courts.
Erforderliche Unterlagen	• Proof of income, assets and personal and economic circumstances
Voraussetzungen	In principle, you and your former spouse are initially obliged to provide for your own maintenance on your

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	own responsibility after the divorce. If you are unable to do so after the divorce, you can assert a claim for maintenance in accordance with the statutory provisions, provided the following conditions are met: • the spouses are legally divorced, • there is a legal requirement for maintenance, e.g. maintenance due to child care, old age, illness, unemployment. • Entitlement existed at the time of divorce • Need according to the marital living conditions • You must be needy. (Your income and your payment obligations as well as the obligation to your own gainful employment are decisive here). • the claimant or the respondent must be able to pay. • For details, please contact a lawyer.
Kosten	• Court costs • Legal fees • both depend on the amount in dispute
Verfahrensablauf	An application for the enforcement of divorce maintenance can only be filed by a lawyer. • The further course of the court proceedings is essentially governed by the rules on civil proceedings. • The court may order you and your former spouse to provide information about their respective income, assets and personal and economic circumstances. If you or your former spouse do not comply with this order, the court may independently obtain information, e.g. from employers or insurance companies.
Bearbeitungsdauer	At least 3 months due to the prescribed procedure, possibly longer in more complex procedures, depending on the individual case
Frist	No legal deadlines
weiterführende Informationen	https://www.oberlandesgericht.bremen.de/information/en/unterhaltsleitlinien-1616 https://www.bmfsfj.de/ https://www.oberlandesgericht.bremen.de/information/en/unterhaltsleitlinien-1616 https://www.bmfsfj.de/

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Hinweise	
Rechtsbehelf	Appeal pursuant to §§ 58 et seq. FamFG against the family court decision within one month by a lawyer or attorney-at-law
Kurztext	• Determination of divorce maintenance • Divorce maintenance can only be claimed for the period after the divorce has become final • Compulsory attorney • The prerequisite for divorce maintenance is Final divorce of the spouses Existence of the requirements for a statutory maintenance claim Meaningfulness of the claimant or the claimant Ability to pay on the part of the defendant. • Competent court: Local Court - Family Court -
Ansprechpunkt	• Please consult a lawyer.
Zuständige Stelle	• Local Court - Family Court (Sections 23a (1) Sentence 1, 23b (1) GVG) • The local court - family court - responsible for you in accordance with §§ 232 f. FamFG will be determined by the lawyer appointed by you.
Formulare	None
Ursprungsportal	Geschiedenenunterhalt beim Gericht beantragen, Request divorce maintenance from the court