

99059001044000, 99059001044000

# Annulment of marriage

Heruntergeladen am 15.06.2025

<https://fimportal.de/xzufi-services/216115505/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99059001044000, 99059001044000
Leistungsbezeichnung I	Annulment of marriage
Leistungsbezeichnung II	Annulment of marriage
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Heirat (059)
Verrichtungskennung	Aufhebung (044)
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)
Lagen Portalverbund	Eheschließung (1020300), Urkunden und Bescheinigungen (1070200)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.07.2023
Fachlich freigegeben durch	Thuringian Ministry for Migration, Justice and Consumer Protection
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/bgb/_1313.html">https://www.gesetze-im-internet.de/bgb/_1313.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_114.html">https://www.gesetze-im-internet.de/famfg/_114.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_121.html">https://www.gesetze-im-internet.de/famfg/_121.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_122.html">https://www.gesetze-im-internet.de/famfg/_122.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_58.html">https://www.gesetze-im-internet.de/famfg/_58.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1313.html">https://www.gesetze-im-internet.de/bgb/_1313.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_114.html">https://www.gesetze-im-internet.de/famfg/_114.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_121.html">https://www.gesetze-im-internet.de/famfg/_121.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_122.html">https://www.gesetze-im-internet.de/famfg/_122.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_58.html">https://www.gesetze-im-internet.de/famfg/_58.html</a>
Teaser	If you think that your marriage is not legal, you can apply for annulment of your marriage.
Volltext	<p>A marriage can be annulled under certain circumstances, for example, if you were a minor or legally incompetent when you married, if you were in a state of unconsciousness or temporary mental disturbance when you married, if you were fraudulently deceived, if you were unlawfully threatened or if you did not know that it was a marriage.</p> <p>To apply to the competent local court - family court - please contact a lawyer. In the court proceedings, it is examined whether there are grounds for annulment. Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you wish to continue the marriage. If, for example, you were not yet 18 years old when you got married and you now indicate that you want to continue the marriage as an adult, the marriage will continue.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Copy of the marriage certificate</li> <li>• If necessary, evidence of the reason for annulment,</li> </ul>

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	for example, medical records, police reports
Voraussetzungen	<p>The marriage could be annulable if, at the time of marriage, you were, for example:</p> <ul style="list-style-type: none"> <li>• were under the age of majority</li> <li>• were in a state of unconsciousness or temporary mental disturbance at the time of marriage</li> <li>• were fraudulently deceived</li> <li>• have been unlawfully induced to enter into marriage by threat, or</li> <li>• were legally incompetent</li> <li>• were not aware of the fact at the time of marriage.</li> </ul> <p>Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you want to continue the marriage. If, for example, you were not yet 18 years old when you got married and you now indicate that you want to continue the marriage as an adult, the marriage will continue.</p>
Kosten	<ul style="list-style-type: none"> <li>• Attorney's fees according to the German Attorney's Fees Act (RVG)</li> <li>• Costs of the court</li> <li>• in each case calculation according to the amount of the object value (depending on income and assets)</li> <li>• in case of indigence legal aid can be applied for</li> </ul>
Verfahrensablauf	<p>Proceedings for annulment of marriage can be initiated only by a lawyer.</p> <ul style="list-style-type: none"> <li>• The lawyer will file a written, reasoned petition for annulment with the District Court - Family Court.</li> <li>• The family court will serve this petition on the spouse.</li> <li>• The further procedure depends on the reaction of the spouse. As a rule, there will be a court hearing at which both spouses will be heard. If necessary, evidence will be taken on the conditions for annulment.</li> <li>• The family court will then decide on the application by way of an order.</li> </ul>

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	<ul style="list-style-type: none"> <li>• An appeal against the decision of the Local Court may be lodged within one month by a lawyer. The competent Higher Regional Court will decide on this.</li> </ul>
Bearbeitungsdauer	At least 3 months because of the given procedure, in more complex procedures longer if necessary
Frist	Depending on the reason for cancellation, one year, for example in the case of fraudulent misrepresentation, or three years in the case of unlawful threat from the time the reason for cancellation is discovered.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	appeal against the family court decision within one month by a lawyer
Kurztext	<ul style="list-style-type: none"> <li>• Annulment of marriage</li> <li>• Compulsory lawyer</li> <li>• Prerequisite for annulment of marriage at the time of marriage is, for example: <ul style="list-style-type: none"> <li>• Minority</li> <li>• Incapacity,</li> <li>• Malicious deception,</li> <li>• Unlawful threat or</li> <li>• Mistake about the marriage.</li> </ul> </li> <li>• Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if the applicant indicates that he/she wishes to continue the marriage (confirmation). For example, if the applicant was not yet 18 years old when the marriage took place and now indicates as an adult that he/she wants to continue the marriage, the marriage will remain.</li> <li>• Competent: The proceedings are conducted by a initiated by a lawyer. The competent authority is the local court.</li> </ul>
Ansprechpunkt	Please consult a lawyer.
Zuständige Stelle	The district court - family court - responsible for you will determine the lawyer you have instructed.
Formulare	none

**Modul**

**Sachverhalt**

Ursprungsportal

Aufhebung der Ehe, Annulment of marriage