

99046008017000, 99046008017000

Apply for counseling assistance, legal aid and legal aid

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/354514/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99046008017000, 99046008017000
Leistungsbezeichnung I	Apply for counseling assistance, legal aid and legal aid
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	
Lagen Portalverbund	Gerichtliche Verfahren, Anzeige und Klage (1150200), Gerichtliche Entscheidungen (2140300)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	12.10.2021
Fachlich freigegeben durch	Thuringian Minister for Migration, Justice and Consumer Protection
Handlungsgrundlage	https://www.gesetze-im-internet.de/berathig/index.html https://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG052302301 https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG000900000 https://www.gesetze-im-internet.de/rvg/_44.html https://www.gesetze-im-internet.de/rvg/anlage_1.html https://www.gesetze-im-internet.de/berathig/index.html https://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG052302301 https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG000900000 https://www.gesetze-im-internet.de/rvg/_44.html https://www.gesetze-im-internet.de/rvg/anlage_1.html
Teaser	If you are unable to raise the necessary funds for personal and financial reasons, you can apply for legal aid, legal aid or legal aid for legal costs.
Volltext	<p>Every citizen is entitled to help in exercising their rights. Anyone who is unable to raise the necessary funds for personal and financial reasons can apply for legal aid, legal aid or legal aid for legal costs. While legal aid is only granted for the exercise of rights outside of court proceedings, a party can be granted legal aid within the framework of court proceedings. In family matters and matters of voluntary jurisdiction, legal aid is called procedural cost aid.</p> <p>The prerequisite is that the applicant is not in a position to provide the financial means for legal advice or litigation themselves due to their personal and financial circumstances. In addition, the use of legal aid or litigation must not be wanton. When legal aid is granted, it is also checked whether there is a sufficient</p>

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	prospect of success in court proceedings.
Erforderliche Unterlagen	<p>In order to check the personal and financial circumstances, the local court must be provided with current proof of income (e.g. wage statement, unemployment benefit or unemployment assistance notices, etc.) as well as proof of monthly financial charges.</p> <p>The application for legal aid or legal aid must also be accompanied by a statement from the party about their personal and financial circumstances (family circumstances, occupation, assets, income and charges) as well as relevant supporting documents.</p>
Voraussetzungen	<p>Counseling assistance is granted if the person seeking legal assistance is unable to raise the necessary funds according to their personal and financial circumstances, no other means of assistance are available, it is reasonable to expect them to make use of it and the use of legal assistance does not appear to be unreasonable.</p> <p>Legal aid or legal aid is granted to a party whose personal and financial circumstances mean that they cannot afford the costs of legal proceedings, or can only afford them in part or in installments. In addition, the intended legal prosecution or legal defense must offer sufficient prospect of success and must not be wanton.</p>
Kosten	The processing of the application by the local court does not involve any costs. Within the scope of legal aid, the counselor can charge the applicant 15 euros for their advice.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	Advice assistance and legal aid are state welfare

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benefits in the area of the administration of justice. If legal aid is granted with monthly installments to be paid or amounts to be paid from assets, corresponding payments must be made towards the court costs incurred and the costs of legal representation.

However, legal aid has no influence on the costs that may have to be reimbursed to the opponent.

An information brochure from the Federal Ministry of Justice and Consumer Protection is available at the following link:

https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Beratungs_und_Prozesskostenhilfe.html?nn=17134

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Rechtsbehelf

A reminder may be lodged against the refusal of legal aid in writing or on the record at the court registry.

An immediate appeal may be lodged against the complete or partial refusal of legal aid or legal aid within a period of one month.

Kurztext

- Legal aid approval
- Legal aid enables you to obtain advice on legal matters outside of court proceedings if you are unable to afford the costs of such advice yourself, no other options for help are available and it does not appear to be unreasonable to seek help.
- Legal aid or procedural cost assistance guarantees the pursuit or defense of rights in the context of legal proceedings if you do not have the financial means, or only have partial financial means, to pursue or defend the intended legal action. the intended prosecution or legal defense offers sufficient prospect of success and does not appear to be unreasonable.
- The local court in whose judicial district the applicant's place of residence is located generally decides on legal aid.
- The application for legal aid must be submitted to the trial court.

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Ansprechpunkt

Counseling assistance:

In principle, the local court in whose judicial district the applicant's place of residence is located decides on advisory assistance. If the application is approved and the matter cannot be dealt with directly by the local court, a certificate of entitlement to legal aid is issued, which the person seeking legal assistance can use to visit a legal advisor of their choice. If a counselor is consulted first, he/she can also subsequently submit an application for approval of counseling assistance by the local court.

Legal aid/procedural costs assistance:

The application for legal aid must be submitted to the trial court. In the application, the relationship in dispute must be described, stating the evidence. The application for legal aid for enforcement must be submitted to the court responsible for enforcement. The competent family court shall decide on the application for legal aid.
<https://gerichte.thueringen.de/gerichte-in-thueringen/andgericht-erfurt/amtsgerichte-im-landgerichtsbezirk-erfurt>
<https://gerichte.thueringen.de/gerichte-in-thueringen/andgericht-erfurt/amtsgerichte-im-landgerichtsbezirk-erfurt>

Zuständige Stelle
Formulare

https://www.bmj.de/SharedDocs/Downloads/DE/Formular/Antrag_auf_Bewilligung_von_Beratungshilfe.pdf?__blob=publicationFile&v=7
https://www.bmj.de/DE/Themen/GerichtsverfahrenUndStreitschlichtung/Prozesskostenhilfe/Prozesskostenhilfe_node.html
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https://www.bmj.de/DE/Themen/GerichtsverfahrenUndStreitschlichtung/Prozesskostenhilfe/Prozesskostenhilfe_node.html

Ursprungsportal

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Beratungshilfe, Prozess- und Verfahrenskostenhilfe
beantragen