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Applying for counseling and legal aid

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/8938439/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046008017000, 99046008017000
Leistungsbezeichnung I	Applying for counseling and legal aid
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
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 Entscheidungen (2140300), Gerichtliche Verfahren, Anzeige und Klage (1150200)

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Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	19.12.2022
Fachlich freigegeben durch	Ministry of Justice Rhineland-Palatinate
Handlungsgrundlage	<p>https://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG052302301</p> <p>https://www.gesetze-im-internet.de/berathig/BJNR006890980.html</p> <p>https://landesrecht.rlp.de/jportal/?quelle=jlink&docid=VVRP-VVRP000003574&psml=bsrlpprod.psml#ivz2</p> <p>https://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG052302301</p> <p>https://www.gesetze-im-internet.de/berathig/BJNR006890980.html</p> <p>https://landesrecht.rlp.de/jportal/?quelle=jlink&docid=VVRP-VVRP000003574&psml=bsrlpprod.psml#ivz2</p>
Teaser	You would like to obtain legal advice or are about to go to court, foren you the lack the financial means? Then you can apply for pre-litigation advice counselingassistance and for legal proceedings process-or legal aidcost assistance apply for.
Volltext	<p>Citizens who are unable to raise the necessary funds to exercise their rights for personal and financial reasons have the option of applying for advice and/or legal aid. Counseling assistance is granted for the exercise of rights outside of court proceedings in all areas of law. Legal aid can be applied for in court proceedings and for representation there. In family and various other proceedings, it is referred to as legal aid.</p> <p>It includes</p> <ul style="list-style-type: none"> • the payment of court costs; • payment of the costs of your own lawyer (however, if you lose, you will have to pay the costs of your opponent's lawyer even if legal aid has been granted); • Legal aid is granted in accordance with the financial and income situation with or without an obligation to pay in installments. If the obligation to pay in installments is ordered, the installments must be paid

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	<p>until the legal costs are covered, but not more than 48 monthly installments in total.</p>
<p>Erforderliche Unterlagen</p>	<ul style="list-style-type: none"> • Proof of income (salary certificate, pension certificate, social welfare certificate, etc.) • Proof of current costs • In the event of an application for legal aid/procedural costs assistance, the dispute must be described in detail
<p>Voraussetzungen</p>	<p>For the counseling assistance:</p> <ul style="list-style-type: none"> • You can the necessary funds for pre-trial legal advice according to your personal and economic circumstances • other options for assistance the utilization of which you is reasonable, are not available available (e.g. debt counseling)and • the use of counseling assistance appears not wilful. <p>For the granting of legal aid-/proceduralcost assistance:</p> <ul style="list-style-type: none"> • You can obtain the necessary funds for the legal proceedings for which assistance is requested, due to your personal and financial circumstances • dthe intended legal action or legal defense has adefense has a prospect of success and • dthe exercise of therights is not willful.
<p>Kosten</p>	<p>If legal aid is not already granted by the local court, but by a counselor, the counselor can charge the applicant 15.00 euros for their advice, even if a certificate of eligibility is available. Further fees may be incurred if your application for legal advice assistance is rejected after legal advice has already been provided or if the approval of legal advice assistance is revoked.</p> <p>No court fees are incurred in the first instance in legal aid/legal aid review proceedings. As a rule, legal representation does not receive any separate remuneration for these proceedings. However, in the event of a defeat in proceedings, legal aid/procedural aid does not cover the costs of the opposing lawyer.</p>

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Verfahrensablauf	<p>If you wish to apply for legal aid, you can do so yourself or via your lawyer. If you are granted legal aid, you will receive a certificate of eligibility. You can use this to contact a lawyer of your choice. If you consult a lawyer first, he or she can also subsequently apply for the granting of legal aid. You can submit an application for legal aid/procedural costs assistance yourself or via your lawyer.</p>
Bearbeitungsdauer	
Frist	<p>If legal advice has already been given, the application for advice assistance must be received by the local court within 4 weeks of the start of the consultation, otherwise it will be rejected.</p>
weiterführende Informationen	
Hinweise	<p>The approval of legal aid can be revoked if the information provided is initially incorrect or if you gain assets through legal aid. If legal aid/procedural aid is granted, the court may review whether your financial circumstances have changed significantly up to four years after the conclusion of the proceedings, which may result in changes to the decision granting the aid. If you fail to comply with your reporting obligations, the approval of legal aid/procedural aid may be revoked. The same applies if the information provided is incorrect and you are seriously in arrears with the payment of ordered installments.</p>
Rechtsbehelf	<p>Only a reminder is admissible against the decision by which the application for legal aid is rejected or by which the approval is revoked ex officio or at the request of the counselor.</p>
Kurztext	<ul style="list-style-type: none"> • Legal aid approval • Citizens who are unable to raise the necessary funds to exercise their rights for personal and financial reasons have the option of applying for legal aid and/or legal aid. • An application for legal aid/legal aid can be submitted independently or via a lawyer. • If legal advice has already been given, the application for legal aid must be received by the local court within

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4 weeks of the start of the consultation, otherwise it will be rejected.

- If legal aid has not already been granted by the local court, but by a counselor, the counselor can charge the applicant 15.00 euros for the consultation, even if a certificate of eligibility is available. Further fees may be incurred if the application for legal advice assistance is rejected after legal advice has already been provided or if the approval of legal advice assistance is revoked.
- No court fees are incurred in the first instance in legal aid/legal aid review proceedings. As a rule, legal representation does not receive any separate remuneration for these proceedings. However, in the event of a defeat in proceedings, legal aid/procedural aid does not cover the costs of the opposing lawyer.
- Responsible: Counseling assistance can be granted directly by the local court if the request can be met by immediate information, a reference to other possibilities for assistance or the inclusion of an application or declaration. Otherwise, it is provided by lawyers and persons authorized to provide legal advice. Legal aid/procedural cost assistance must be applied for at the court at which the lawsuit/proceedings are being or are to be conducted.

Ansprechpunkt

Counseling assistance can be granted directly by the local court if the request can be met by immediate information, a reference to other possibilities for assistance or the inclusion of an application or declaration. Otherwise, it is provided by lawyers and persons authorized to provide legal advice. Legal aid/procedural cost assistance must be applied for at the court where the lawsuit/proceedings are being or are to be conducted.

You can find the court responsible for your location and your matter in the local and court directory, which is maintained jointly by the federal government and the federal states.

<https://www.justizadressen.nrw.de/de/justiz/suche>
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Zuständige Stelle

Formulare

<https://justiz.de/service/formular/dateien/agl1.pdf>

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<https://justiz.de/service/formular/dateien/zp1a.pdf>
<https://justiz.de/service/formular/dateien/agl1.pdf>
<https://justiz.de/service/formular/dateien/zp1a.pdf>

Ursprungsportal

Applying for counseling and legal aid, Beratungs- und Prozesskostenhilfe beantragen
