

99066008037000, 99066008037000

# Have insolvency claim established

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/448860375/L100040>

| Modul                         | Sachverhalt  |
|-------------------------------|--|
| Leistungsschlüssel            | 99066008037000, 99066008037000                         |
| Leistungsbezeichnung I        | Have insolvency claim established                      |
| Leistungsbezeichnung II       |  |
| Typisierung                   | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion                | Niedersachsen  |
| Freigabestatus Katalog        | unbestimmter Freigabestatus                            |
| Freigabestatus Bibliothek     | unbestimmter Freigabestatus                            |
| Begriffe im Kontext           |  |
| Leistungstyp                  | Leistungsobjekt mit Verrichtung                        |
| Leistungsgruppierung          | Insolvenz (066)  |
| Verrichtungskennung           | Feststellung (037)                                     |
| SDG-Informationsbereich       | Insolvenzverfahren und Liquidation von Unternehmen     |
| Lagen Portalverbund           | Sanierung und Insolvenz (2160300)                      |
| Einheitlicher Ansprechpartner | Nein   |
| Fachlich freigegeben am       | 17.03.2022   |

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| Fachlich freigegeben durch | Lower Saxony Ministry of Justice   |
| Handlungsgrundlage         | <a href="https://www.gesetze-im-internet.de/inso/_174.html">https://www.gesetze-im-internet.de/inso/_174.html</a><br><a href="https://www.gesetze-im-internet.de/inso/_174.html">https://www.gesetze-im-internet.de/inso/_174.html</a>   |
| Teaser                     | If you, as a creditor, wish to participate in insolvency proceedings and in the distribution of the insolvency estate, your registered claim must be established.  |
| Volltext                   | <p>The claims lodged by the insolvency creditors (see also text "Insolvency claims" or filing insolvency claims) are examined. This can be done in a so-called examination date or after an audit deadline in a written procedure. As a rule, you can find this date or reference date in the decision by which the insolvency proceedings were opened. Subsequent examination dates or deadlines – in particular for claims filed late – are ordered by separate decisions of the insolvency court.</p> <p>If a claim is not disputed or only contested by the debtor, it shall be deemed to have been established for further insolvency proceedings in accordance with the application. In the case of ordered self-administration, the debtor's objection also prevents the claim from being established.</p> <p>If a party to the proceedings considers a registered claim to be false and does not agree with the intended judicial determination of this claim in the insolvency table, he may object to this claim (so-called "dispute"). If a party to the proceedings wishes to contest a claim to be examined, he must submit the corresponding written objection to the insolvency court at the latest on the examination date or examination date. The insolvency court will record the declarations submitted at the hearing or after the end of the audit date.</p> <p>The insolvency court does not have jurisdiction to decide whether an objection is justified. The establishment of a claim that is wholly or partially disputed shall be pursued by the legal process provided for by the general laws. If the claim already has an enforceable debt instrument, it is for the contesting party to pursue the objection by means of the generally permissible legal means. If such a debt</p> |

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|                              | instrument does not yet exist, it is incumbent on the alleged creditor to pursue the determination of the claim by means of the legal process generally provided for this purpose. The contesting party must therefore expect that an action will be brought against him/her because of the opposition.  |
| Erforderliche Unterlagen     | None   |
| Voraussetzungen              | You must have validly lodged your claim with the insolvency administrator.   |
| Kosten                       | <ul style="list-style-type: none"> <li>•</li> <li>•</li> <li>•</li> </ul>  |
| Verfahrensablauf             | <p>You must first register insolvency claims with the insolvency administrator.</p> <p>The claims lodged in due time will then be examined. This can be done in a so-called examination date or after an audit deadline in a written procedure. As a rule, you can find this date or reference date in the decision by which the insolvency proceedings were opened.</p> <p>Subsequent examination dates or deadlines – in particular for claims filed late – are ordered by separate decisions of the insolvency court (insofar as the necessary legal requirements are met in the respective individual case).</p> |
| Bearbeitungsdauer            | Processing time depends on the specific individual case. The table must be available within the first third of the period between the registration deadline and the examination date.  |
| Frist                        | Written objection ("contesting") must be submitted to the insolvency court at the latest by the examination date or examination date.  |
| weiterführende Informationen |  |
| Hinweise                     |  |
| Rechtsbehelf                 | All legal remedies available against final judgments are   |

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|                   | possible against the established claims.   |
| Kurztext          | <ul style="list-style-type: none"> <li>• Have insolvency claim established</li> <li>• registered claims are checked</li> <li>• Examination can take place in so-called examination date or in written procedure</li> <li>• if the claim remains undisputed, it shall be deemed to have been established</li> <li>• Determination by a locally competent insolvency court</li> <li>• It is not for the insolvency court to decide whether an objection is justified, but for the courts with general jurisdiction.</li> </ul> |
| Ansprechpunkt     |  |
| Zuständige Stelle |  |
| Formulare         |  |
| Ursprungsportal   | Have insolvency claim established, Insolvenzforderung feststellen lassen   |