

99046040088000, 99046040088000

# Judicial measures to protect against violence and stalking Order

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/608111946/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99046040088000, 99046040088000
Leistungsbezeichnung I	Judicial measures to protect against violence and stalking Order
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	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Hilfen für Geschädigte (1160200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	10.02.2025
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/gewschg/_1.html">https://www.gesetze-im-internet.de/gewschg/_1.html</a> <a href="https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002800000">https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002800000</a> <a href="https://www.gesetze-im-internet.de/famgkg/">https://www.gesetze-im-internet.de/famgkg/</a> <a href="https://www.gesetze-im-internet.de/gewschg/_1.html">https://www.gesetze-im-internet.de/gewschg/_1.html</a> <a href="https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002800000">https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002800000</a> <a href="https://www.gesetze-im-internet.de/famgkg/">https://www.gesetze-im-internet.de/famgkg/</a>
Teaser	
Volltext	<p>If you are a victim of violence (e.g. abuse, bodily harm or psychological violence such as stalking), you can turn to the family court to obtain protection under civil law (protection against violence). The family court can issue protection orders under the Protection against Violence Act, which prohibit the perpetrator, for example, from enter your home, to stay within a certain radius of your home, visit places where you regularly spend time, or to contact you in any way, including by telephone, e-mail or text message.</p>
Erforderliche Unterlagen	<p>Application</p> <p>To obtain protection against violence, you must submit an application to the competent family court. The application can be made orally at the family court's legal application office or submitted in writing to the court. If you wish your whereabouts to be kept secret, you must state this in your application. Your address will then not be listed either in your application or in the court order.</p> <p>Detailed written statement of the facts</p> <p>Your application must contain a detailed and specific description of the current events. You must also state whether there have already been acts of violence in the past and how they occurred. All incidents should</p>

## Modul

## Sachverhalt

be described as precisely as possible and with the respective date of occurrence. Every violent situation must be described in a way that is comprehensible to the court. It is not sufficient if you only use general or formulaic formulations such as "I was beaten and threatened".

Address of the perpetrator that can be served

As a rule, this is the registered address. In the event that the police have already expelled the perpetrator from your home or have forbidden him or her to enter your home, you must state where this person is staying so that the court order can be served on him or her. It does not matter where this person is registered - only the actual place of residence is decisive.

Identity card or passport

If you make an oral application at the court's legal application office, you must identify yourself.

Police case numbers and all documents handed over by the police

If available, you should present the documents when submitting the application or attach them to your written application.

Medical certificates or proof of treatment

If you received medical treatment after the violent assault, you should submit medical certificates and proof of treatment when submitting your application or attach them to your written application.

Photos

If you have photos documenting your injuries, you should submit these when submitting your application or attach them to your written application.

## Voraussetzungen

You are a victim of violence

z. e.g. abuse, bodily harm or psychological violence

Modul	Sachverhalt
	such as stalking
Kosten	Court fees are incurred depending on the value of the proceedings. In addition, there may be expenses incurred by the court, e.g. for expert opinions and interpreter costs. Legal fees may also be incurred. You can apply for legal aid if you are not in a financial position to pay the legal costs.
Verfahrensablauf	Application for a temporary injunction under the Protection against Violence Act and submission of an affidavit via a lawyer/notary or at the legal application office of the local court.
Bearbeitungsdauer	The processing time depends on whether the application is made in interim proceedings or in proceedings on the merits. In summary proceedings, a decision or the scheduling of a hearing will take place shortly.
Frist	
weiterführende Informationen	
Hinweise	<p>If the applicant's personal and financial circumstances do not allow them to bear the costs, they can apply for legal aid.</p> <p>To do so, the personal and financial circumstances form must be completed in full and the relevant income and expenditure documents submitted (see forms).</p> <p>The application is made via a lawyer/notary or at the legal application office of the local court. Opening hours: 09.00 to 12.30. In cases of absolute urgency (in the event of an acute threat, if the applicant and defendant live together), in the event of acute child endangerment) also after 12:30 to 15:00. The application is made via the constable's office in the entrance area (from there you will be referred to the emergency service)</p> <p>If the application is made by the legal representative, proof of custody must be submitted if possible (birth</p>

Modul	Sachverhalt
	certificate of the child in the case of married parents, custody decision/appointment of guardian/custodian).
Rechtsbehelf	<p>In temporary injunction proceedings:</p> <p>If the decision was made without an oral hearing: Application for a new decision based on an oral hearing (Section 54 (2) FamFG).</p> <p>Otherwise: Appeal pursuant to Section 58 FamFG</p>
Kurztext	You can apply to the competent local court (family court) for a temporary injunction - protection against violence.
Ansprechpunkt	The district court with local jurisdiction pursuant to Section 211 FamFG (1. the court in whose district the offense was committed, 2. the court in whose district the joint residence of the applicant and the defendant is located, or 3. the court in whose district the defendant has his habitual residence).
Zuständige Stelle	The district court with local jurisdiction pursuant to Section 211 FamFG (1. the court in whose district the offense was committed, 2. the court in whose district the joint residence of the applicant and the defendant is located, or 3. the court in whose district the defendant has his habitual residence).
Formulare	
Ursprungsportal	Gerichtliche Maßnahmen zum Schutz vor Gewalt und Nachstellungen Anordnung, Judicial measures to protect against violence and stalking Order