

99046004018000, 99046004018000

Advice on out-of-court proceedings

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/102005391/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99046004018000, 99046004018000
Leistungsbezeichnung I	Advice on out-of-court proceedings
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Beratung (018)
SDG-Informationsbereich	
Lagen Portalverbund	Außergerichtliche Verfahren und Streitschlichtung (1150100)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	
Fachlich freigegeben durch	No technical approval. If necessary, please contact the Ministry of Justice and for Europe and Consumer Protection. Telephone (0331 866-0) Poststelle@mdjev.brandenburg.de
Handlungsgrundlage	https://www.gesetze-im-internet.de/berathig/_1.html
Teaser	If you want to provide extrajudicial legal services or legal advice in foreign law, you need a license
Volltext	Natural and legal persons as well as companies without legal personality that are registered with the competent authority may provide legal services in a foreign law on the basis of special expertise. If the foreign law is the law of a member state of the European Union or another state party to the Agreement on the European Economic Area, advice may also be provided in the area of European Union law and the law of the European Economic Area.
Erforderliche Unterlagen	<p>Applicants are kindly requested to contact www.rechtsdienstleistungsregister.de to use the forms provided. The application should be sent to the President of the Brandenburg Higher Regional Court, Gertrud-Piter-Platz 11, 14770 Brandenburg.</p> <p>The following documents must be submitted (§ 13 para. 1, 2 RDG):</p> <ul style="list-style-type: none"> • Application including supplementary declarations, • a summary of professional training and previous professional experience, • a certificate of good conduct for submission to the authorities (§ 30 para. 5 of the Federal Central Register Act), • Documents as proof of theoretical and practical expertise, • proof of existing professional liability insurance. <p>In addition to the application, licensees under the Legal Advice Act only have to submit the license certificate and proof of existing professional liability insurance (Section 1 RDGEG).</p>

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The application must be submitted in writing in accordance with Section 6 (1) RDV. The documents to be submitted must be originals.

Voraussetzungen

I. Requirements for registration (Section 12 (1) RDG):

1. personal suitability and reliability; reliability is generally lacking,

a) if the person has been convicted of a crime or an offense relating to the exercise of the profession in the three years preceding the application,

b) if the person's financial circumstances are disorderly,

c) if, in the three years prior to the application, a registration pursuant to Section 14 RDG or an admission to the bar pursuant to Section 14 (2) Nos. 1 to 3 and 7 to 9 of the Federal Lawyers' Act (BRAO) has been revoked, the admission to the bar pursuant to Section 14 (1) BRAO has been withdrawn or denied pursuant to Section 7 BRAO or an exclusion from the bar has occurred,

2. theoretical and practical expertise in the area or sub-areas of Section 10 (1) RDG in which the legal services are to be provided (further details regarding proof of expertise can be found in the RDV),

3. professional liability insurance with a minimum sum insured of € 250,000.00 for each insured event. The financial loss liability insurance must meet the conditions of § 5 RDV. Among other things, the insurer must be contractually obliged to inform the registration authority of any impairment of the insurance cover (Section 5 (6) RDV). Furthermore, the insurer's benefits for all damages caused within one year must be limited to four times the statutory minimum insurance sum of € 250,000.00 (Section 5 (4) RDV).

II Requirements for the registration of licensees under the Legal Advice Act (Section 1 (1) RDGEG):

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1. license certificate in accordance with the Legal Advice Act,
2. professional liability insurance with a minimum sum insured of € 250,000.00 for each insured event. The financial loss liability insurance must meet the conditions of § 5 of the Ordinance to the Legal Services Act of June 19, 2008 (BGBl. I p. 1069). Accordingly, the insurer must, among other things, be contractually obliged to inform the registration authority of any impairment of the insurance cover (Section 5 (6) RDV). Furthermore, the insurer's benefits for all damage caused within one year may be limited to four times the statutory minimum sum insured of € 250,000.00 (Section 5 (4) RDV).

Kosten

150,00 € (§ 1 Abs. 1 JKGBbg i.V.m. § Section 2 (1) JVKostO and No. 300/301 JVKostO fee schedule)

Verfahrensablauf

After application and submission of all required documents, the application is checked and registered in the legal services register; or, if the admission requirements are not met, the application is rejected.

Bearbeitungsdauer

The processing time depends on the completeness of the documents submitted.

Frist

The exercise of an activity under the RDG may only take place after registration. There are no application deadlines for registration.

weiterführende Informationen

<https://www.rechtsdienstleistungsregister.de/>
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Hinweise

The Brandenburg Higher Regional Court is not responsible for granting a license in the area of pension advice specified in Section 10 (1) No. 2 RDG. The competent authority is the President of the Berlin-Brandenburg State Social Court

Rechtsbehelf
Kurztext

- Applying for permission for extrajudicial legal services
- Legal advice on foreign law

Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	Ministry of Justice. (MdJ)
Formulare	
Ursprungsportal	Beratung bei außergerichtlichen Verfahren, Advice on out-of-court proceedings