

99082012000000, 99082012000000

Exemption from the law firm obligation according to the Federal Lawyers' Act

Heruntergeladen am 17.07.2025

<https://fimportal.de/xzufi-services/102011606/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99082012000000, 99082012000000
Leistungsbezeichnung I	Exemption from the law firm obligation according to the Federal Lawyers' Act
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
Leistungsgruppierung	Rechtspflege (082)
Verrichtungskennung	
SDG-Informationsbereich	Anerkennung von Qualifikationen zum Zwecke der

Modul	Sachverhalt
	Beschäftigung in einem anderen Mitgliedstaat
Lagen Portalverbund	Erlaubnisse und Genehmigungen (2010400)
Einheitlicher Ansprechpartner	Ja
Fachlich freigegeben am	16.01.2020
Fachlich freigegeben durch	Ministry of Economy, Labour and Energy of the State of Brandenburg Heinrich-Mann-Allee 107 14473 Potsdam Phone: +49 (0)331 866-1676 Fax.: +49 (0)331 866-1753
Handlungsgrundlage	https://www.gesetze-im-internet.de/brao/__29.html https://www.gesetze-im-internet.de/brao/__29.html
Teaser	Permanent or temporary permission not to set up and maintain a law firm
Volltext	The establishment/maintenance of a law firm may not be reasonable or even completely impossible for the professional in a few, narrowly defined exceptional cases. Such situations are recognized for: • long-term, inpatient hospital or spa stays • long-term family obligations that preclude the exercise of one's profession, e.g. home care, parental leave • Establishment of a law firm abroad. In these cases, the professional should not have to renounce his licence; rather, the licence is maintained and an authorised representative for service is appointed to ensure the smooth continuation of client and court correspondence in accordance with § 30 of the Federal Lawyers' Act (BRAO).
Erforderliche Unterlagen	Prima facie evidence of the impediment by means of suitable documents
Voraussetzungen	Proof that temporarily or permanently the establishment/maintenance of a law firm is unreasonable or impossible (informal application with justification)

Modul	Sachverhalt
Kosten	
Verfahrensablauf	After receipt of application: • Assignment to the personnel file • Submission of the application to the Board of Directors for review and decision By Decision: • Letter of Approval • Registration in the personnel department and in the chamber's internal lawyer directory
Bearbeitungsdauer	1 week
Frist	
weiterführende Informationen	https://www.brak.de/anwaltschaft/berufsrecht/ https://www.brak.de/anwaltschaft/berufsrecht/
Hinweise	The exemption from the obligation to be a law firm is a narrowly defined privilege that should only be granted in an exceptional situation. If the law firm is abandoned/closed without one of the exceptions mentioned, this usually leads to the loss of the lawyer's license.
Rechtsbehelf	
Kurztext	indefinite or temporary permission not to have to set up and maintain a law firm
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Befreiung von der Kanzleipflicht nach Bundesrechtsanwaltsordnung, Exemption from the law firm obligation according to the Federal Lawyers' Act