

99066008037000

Insolvency claims determination

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/S1000020010000013440/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99066008037000
Leistungsbezeichnung I	Insolvency claims determination
Leistungsbezeichnung II	File for insolvency
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">Creditors in insolvency proceedings</div>, <div lang="en-x-mtfrom-de">File money for bankruptcy</div>, <div lang="en-x-mtfrom-de">Get money back Bankruptcy</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	17.06.2025
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Sections 174 et seq. of the Insolvency Code (InsO) – Determination of claims https://www.gesetze-im-internet.de/inso/_174.html §§ 179 InsO – Disputed claims https://www.gesetze-im-internet.de/inso/_179.html Section 184 InsO – Action against an objection by the debtor https://www.gesetze-im-internet.de/inso/_184.html Section 28 of the Insolvency Code (InsO) – Requests to creditors and debtors https://www.gesetze-im-internet.de/inso/_28.html Section 29 InsO – Determination of the date https://www.gesetze-im-internet.de/inso/_29.html §§ 35 ff. InsO – insolvency estate, allocation of creditors https://www.gesetze-im-internet.de/inso/_35.html</p>
Teaser	File your claim in insolvency proceedings. Your claim will be determined and entered into a schedule. This is the only way you can receive money from the remaining assets (the insolvency estate).
Volltext	As a creditor known at the time of the opening of insolvency proceedings, you will be asked by the insolvency court or insolvency administrator to file your insolvency claim with the insolvency administrator within a specified period. Once your claim has been established, you will receive rights in the insolvency proceedings such as voting rights, the right to object, to file applications and to appeal.
Erforderliche Unterlagen	Exact description and quantification of the claims Documentary evidence (e.g. judgment, writ of execution, cost assessment order, check, bill of exchange, debt certificate, contract) if necessary, power of attorney if you are legally represented.
Voraussetzungen	The claim already existed before the insolvency proceedings were opened. The insolvency claim has been registered with the insolvency administrator.

Modul	Sachverhalt
Kosten	Claim registration: free of charge In case of late registration: costs for an additional examination EUR 24.00 if applicable, fees and expenses for legal representation
Verfahrensablauf	As a creditor, you will be asked by the court to register your claims with the opening order. You submit your claims to the insolvency administrator in writing. You should list all claims in detail and attach supporting documents. You can use the insolvency court's form for this list. You send the list and all supporting documents to the insolvency administrator. All claims filed on time will be examined in an oral or written hearing at the examination hearing or after a specific examination date. You will be informed of this date or deadline in the opening decision. The court may also consider claims received after the first examination date (subsequent filing of claims). The costs of the additional examination must be borne by the creditors concerned. Claims are deemed to be established if no objections are raised during the examination hearing: The insolvency administrator and the insolvency creditors have the right to dispute registered claims. An objection by the debtor does not preclude the determination of a claim. The insolvency administrator compiles a ranking of the claims, noting the amounts and, if applicable, any objections. Objection to registered claim: If the debtor has disputed or objected to the claim, nothing stands in the way of the claim. The claim remains valid. If the insolvency administrator or creditor has disputed the claims, you as the affected creditor must have your claim established by a court. If there is an enforceable title or a final judgment for the claim, the disputing party must file an objection. If the creditor who has doubted or disputed a claim is successful, the court will correct the table.
Bearbeitungsdauer	The processing time depends on the individual case. The table must be submitted within the first third of the period between the registration deadline and the examination date.
Frist	The registration deadline can be found in the opening decision

Modul	Sachverhalt
weiterführende Informationen	<p>https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/gerichte-und-segmente/amtsgerecht-hamburg-mitte/segment-familie-betreuung-insolvenz/start-636986</p> <p>https://justiz.hamburg.de/justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992</p> <p>https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992</p> <p>https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/start-636992</p>
Hinweise	Whether an objection to a claim is justified is not decided by the insolvency court. You must enforce the determination of a fully or partially disputed claim in court, for example, by filing a lawsuit in separate proceedings. If a judgment or other debt instrument already exists for the claim, the contesting party must prove the objection by filing a lawsuit. If no debt instrument exists yet, the alleged creditor must prove the claim in court. The contesting party must therefore expect that a lawsuit will be filed against them because of the objection.
Rechtsbehelf	All legal remedies available against final judgments may be taken against the claims established.
Kurztext	Creditors receive a request from the insolvency court or insolvency administrator to register their claims with the insolvency administrator within a certain period of time. By establishing the claim, you gain rights in the insolvency proceedings such as voting rights, the right to object, to file applications and to appeal.
Ansprechpunkt	
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)