

99046037058001, 99046037058001

# Mandatory dispute resolution

Heruntergeladen am 09.07.2025

<https://fimportal.de/xzufi-services/10867544/L100001>

| Modul                            | Sachverhalt                                                                                              |
|----------------------------------|----------------------------------------------------------------------------------------------------------|
| Leistungsschlüssel               | 99046037058001, 99046037058001                                                                           |
| Leistungsbezeichnung I           | Mandatory dispute resolution                                                                             |
| Leistungsbezeichnung II          |                                                                                                          |
| Typisierung                      | 4 - Land: Regelung                                                                                       |
| Quellredaktion                   | Hessen                                                                                                   |
| Freigabestatus Katalog           | unbestimmter Freigabestatus                                                                              |
| Freigabestatus Bibliothek        | unbestimmter Freigabestatus                                                                              |
| Begriffe im Kontext              |                                                                                                          |
| Leistungstyp                     | Leistungsobjekt mit Verrichtung                                                                          |
| Leistungsgruppierung             | Gerichtliche Leistungen (046)                                                                            |
| Verrichtungskennung              | Durchführung (058)                                                                                       |
| SDG-Informationsbereich          |                                                                                                          |
| Lagen Portalverbund              | Gerichtliche Entscheidungen (2140300),<br>Außergerichtliche Verfahren und Streitschlichtung<br>(1150100) |
| Einheitlicher<br>Ansprechpartner | Nein                                                                                                     |

| Modul                      | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fachlich freigegeben am    | 21.10.2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Fachlich freigegeben durch | Hessian Ministry of Justice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Handlungsgrundlage         | <a href="https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&amp;showdoccase=1&amp;js_peid=Trefferliste&amp;documentnumber=31&amp;numberofresults=80&amp;fromdoctodoc=yes&amp;doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&amp;doc.part=X&amp;doc.price=0.0#docid:169176,1,20121222">https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&amp;showdoccase=1&amp;js_peid=Trefferliste&amp;documentnumber=31&amp;numberofresults=80&amp;fromdoctodoc=yes&amp;doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&amp;doc.part=X&amp;doc.price=0.0#docid:169176,1,20121222</a><br><a href="https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-SchiedsAmtsGHE1994rahmen">https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-SchiedsAmtsGHE1994rahmen</a><br><a href="https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&amp;showdoccase=1&amp;js_peid=Trefferliste&amp;documentnumber=31&amp;numberofresults=80&amp;fromdoctodoc=yes&amp;doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&amp;doc.part=X&amp;doc.price=0.0#docid:169176,1,20121222">https://www.rv.hessenrecht.hessen.de/lexsoft/default/hessenrecht_rv.html?pid=Dokumentanzeige&amp;showdoccase=1&amp;js_peid=Trefferliste&amp;documentnumber=31&amp;numberofresults=80&amp;fromdoctodoc=yes&amp;doc.id=jlr-SchlichtGHE2001rahmen%3Ajuris-lr00&amp;doc.part=X&amp;doc.price=0.0#docid:169176,1,20121222</a><br><a href="https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-SchiedsAmtsGHE1994rahmen">https://www.rv.hessenrecht.hessen.de/bshe/document/jlr-SchiedsAmtsGHE1994rahmen</a> |
| Teaser                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Volltext                   | <p>In certain civil disputes, you must attempt conciliation under the Hessian Act on the Regulation of Out-of-Court Dispute Resolution before you can bring an action in court. In this case, an impartial conciliator or arbitrator appointed by the arbitration office or a recognized conciliation body should try to find an amicable solution together with you and your opponent. Among other things, this has the advantage that it can usually be implemented faster and helps to avoid a long legal dispute over several instances, which ultimately saves time and money. If an agreement is reached during the conciliation hearing, it will be recorded in minutes. This protocol may be enforced in the same way as a settlement concluded in court. If your opponent absences from the conciliation hearing without excuse or if an agreement cannot be reached, this will be noted in a certificate. With this, you can then file a complaint with the court. The aim of a mediation attempt is to strengthen independent conflict resolution and to improve legal peace. Tip: Detailed information on the procedure of out-of-court dispute resolution can be found in the brochures</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**Modul**
**Sachverhalt**

"Conciliation instead of judging" and "The Hessian Arbitration Office" of the Hessian Ministry of Justice. It also explains alternative options for mandatory dispute resolution in accordance with the Hessian Law on the Regulation of Out-of-Court Dispute Resolution.  
<https://justizministerium.hessen.de/infomaterial/Das-hessische-Schiedsamt>  
<https://justizministerium.hessen.de/infomaterial/Streit-schlichtung>  
<https://justizministerium.hessen.de/infomaterial/Das-hessische-Schiedsamt>  
<https://justizministerium.hessen.de/infomaterial/Streit-schlichtung>

**Erforderliche Unterlagen**
**Voraussetzungen**

A mandatory dispute resolution must be carried out if it concerns one of the following disputes:

- certain neighbouring disputes, or
- Disputes over claims for violations of personal honour not committed in the press or radio.

Hint: An attempt at conciliation is not necessary if a claim is asserted in the dunning procedure. This also applies to other cases, in particular disputes in family matters and claims asserted in documentary or bill of exchange proceedings.

**Kosten**

According to § 41 HSchAG, fees between 20 and 50 euros are charged for proceedings before the Arbitration Office.

**Verfahrensablauf**

To initiate the conciliation attempt, you must submit a written application to the conciliation body. The request must contain the names and summonable addresses of the parties, a brief description of the dispute, the subject matter of the dispute and your request, and must be signed by the requesting party. Instead of the written application, you can also submit a corresponding verbal declaration to the quality office.

**Bearbeitungsdauer**
**Frist**

| Modul                        | Sachverhalt                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| weiterführende Informationen |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Hinweise                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Rechtsbehelf                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Kurztext                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ansprechpunkt                | The conciliation procedure shall be initiated upon request. The application must be submitted in writing to the conciliation body in whose district the other party lives. Quality offices are the arbitration offices established at the Hessian cities and municipalities as well as the conciliation offices recognized by the State Justice Administration. A list of these arbitration bodies can be found in the brochure of the Hessian Ministry of Justice entitled "Dispute resolution – conciliation is better than judging" Hint: If you agree with your opponent, the conciliation attempt can also be carried out before certain other bodies. |
| Zuständige Stelle            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Formulare                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ursprungsportal              | Obligatorische Streitschlichtung, Mandatory dispute resolution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |