

99046071061000, 99046071061000

Set up legal support

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/8967142/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99046071061000, 99046071061000
Leistungsbezeichnung I	Set up legal support
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Bestellung (061)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.09.2018

Modul	Sachverhalt
Fachlich freigegeben durch	Hessian Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG017103377 https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG003800000 https://www.gesetze-im-internet.de/gnotkg/index.html#BJNR258610013BJNE013800000 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG017103377 https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG003800000 https://www.gesetze-im-internet.de/gnotkg/index.html#BJNR258610013BJNE013800000
Teaser	
Volltext	If a person is permanently unable to manage their own affairs due to illness or disability, they need a legal guardian to act on their behalf and represent them. This can be a close person (spouse, child, friend) but also a volunteer or a professional guardian. If the person concerned has not decided who should be their legal guardian in the event of an emergency, the guardianship court (formerly "guardianship court") must appoint a guardian. If you would like to look after your relative yourself without the need for a court guardianship procedure, your relative should grant you a so-called power of attorney in good time (i.e. when they are legally competent). If the person concerned is not in a position to apply for legal guardianship themselves, any third party can apply to the court to have one set up (relatives, social services, doctors). The guardianship court decides on the type and scope of the guardianship. It appoints and dismisses the guardian. The court bases its decision on its own direct impression (judicial hearing), on a medical report and, if necessary, on a social report from the local care authority (central point of contact for all matters relating to legal care at the district office, in cities with district status at the city administration).

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	https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10636617 https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10636579 https://www.betreuungsrecht.hessen.de/ https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10636617 https://verwaltungsportal.hessen.de/leistung?leistung_id=L100001_10636579 https://www.betreuungsrecht.hessen.de/
Erforderliche Unterlagen	None However, the suggestion should be made in writing.
Voraussetzungen	The person concerned is unable to manage his or her own affairs due to a physical, mental or psychological disability or mental illness.
Kosten	If the assets of the person receiving care exceed 25,000.00 euros after deduction of all liabilities: • Court costs within the scope of the guardianship (fees and expenses, in particular a lump sum for documents and expenses for experts) • EUR 10.00 per year for each EUR 5,000.00 or part thereof by which the assets of EUR 25,000.00 are exceeded for long-term care (at least EUR 200.00 per year)
Verfahrensablauf	**Temporary injunction** The procedure described requires extensive investigations by the guardianship court and takes a certain amount of time. However, it is often necessary to act quickly. In this case, the court can appoint a temporary caregiver in a simplified procedure by means of a temporary order, dismiss such a person or extend their scope of duties. Such an urgent measure is only permissible under certain conditions. A temporary order may not last longer than one year. In particularly urgent cases (example: placement of the person concerned), the guardianship court itself can take the necessary measures as long as no guardian

Modul

Sachverhalt

has been appointed and is unable to fulfill his/her duties.

See also the brochure "Betreuungsrecht" (Hessian Ministry of Justice and Hessian Ministry for Social Affairs and Integration)
<https://justizministerium.hessen.de/infomaterial/Betreuungsrecht>
<https://justizministerium.hessen.de/infomaterial/Betreuungsrecht>

Bearbeitungsdauer

Frist

• **Revocation or extension** of the appointment of a guardian: after 7 years at the latest • **Appeal** against the decision of the guardianship court: within one month

weiterführende Informationen

Hinweise

Rechtsbehelf

Legal remedy

Decisions of the guardianship court can be appealed against.

The Regional Court decides on the appeal. An appeal may be lodged with the Higher Regional Court against the decision of the Regional Court.

Kurztext

Ansprechpunkt

To the guardianship court at the local court in whose district the person concerned has their habitual residence, i.e. their actual center of life.

You can find the court responsible for your location and your matter in the local and court directory, which is maintained jointly by the federal government and the federal states.

<https://www.justizadressen.nrw.de/og.php?plz=&ort=&gerausw=AG&plz1=&ort1=&landausw=ALL&suchen1=+Absenden+&MD=j>

<https://www.justizadressen.nrw.de/og.php?plz=&ort=&>

Modul	Sachverhalt
	gerausw=AG&plz1=&ort1=&landausw=ALL&suchen1=+Absenden+&MD=j
Zuständige Stelle	
Formulare	
Ursprungsportal	Set up legal support, Rechtliche Betreuung einrichten