

99066008037000, 99066008037000

Insolvency claims Determination

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/121361823/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99066008037000, 99066008037000
Leistungsbezeichnung I	Insolvency claims Determination
Leistungsbezeichnung II	Determination of insolvency claims (at the audit meeting)
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	Feststellung (037)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Sanierung und Insolvenz (2160300)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	23.04.2021
Fachlich freigegeben durch	Ministry of Justice of the State of North Rhine-Westphalia
Handlungsgrundlage	§§ Sections 174 et seq. Insolvency Code (InsO) https://www.gesetze-im-internet.de/insol/_174.html https://www.gesetze-im-internet.de/insol/_174.html
Teaser	If you wish to participate as a creditor in insolvency proceedings and in the distribution of the insolvency estate, your registered claim must be established.
Volltext	<p>The claims filed by the insolvency creditors (see also text Insolvency claims or Filing insolvency claims) are examined. This can take place in a so-called verification meeting or after a verification deadline in a written procedure. As a rule, you can find this date or cut-off date in the decision by which the insolvency proceedings were opened. Subsequent verification dates or cut-off dates, in particular for claims filed late, are ordered by separate resolutions of the insolvency court.</p> <p>If a claim is not contested or is only contested by the debtor, it shall be deemed established for the further insolvency proceedings in accordance with the application. If self-administration has been ordered, the debtor's objection also prevents the claim from being established.</p> <p>If a party to the proceedings considers a registered claim to be incorrect and does not agree with the intended judicial determination of this claim in the insolvency schedule, it can file an objection to this claim (so-called contesting). If a party to the proceedings wishes to contest a claim to be verified, it must submit the corresponding written objection to the insolvency court by the verification date or verification deadline at the latest. The insolvency court will certify the declarations submitted at the hearing or after the review date.</p> <p>The insolvency court is not responsible for deciding whether an objection is justified. The determination of</p>

Modul

Sachverhalt

a wholly or partially disputed claim must be pursued through the legal channels provided for by general law. If an enforceable debt instrument already exists for the claim, it is up to the disputing party to pursue the objection using the generally admissible legal means. If such a debt instrument does not yet exist, it is the responsibility of the alleged creditor to pursue the establishment of the claim through the legal channels generally provided for this purpose. The disputing party must therefore expect that legal action will be taken against him/her because of the objection.

Erforderliche Unterlagen

Voraussetzungen

Kosten

Directly for the creditor: none In the event of a dispute, possible legal costs if the disputing party is unsuccessful in the subsequent proceedings. If applicable: additional costs due to late filing

Verfahrensablauf

Insolvency claims must first be registered with the insolvency administrator (see text Insolvency claims or Registering insolvency claims).

The claims filed on time will then be examined. This can take place in a so-called verification meeting or after a verification deadline in a written procedure. As a rule, you can find this date or cut-off date in the decision by which the insolvency proceedings were opened.

Subsequent verification dates or cut-off dates, in particular for claims filed late, are ordered by separate resolutions of the insolvency court (insofar as the necessary legal requirements are met in each individual case).

Bearbeitungsdauer

Frist

A written objection (contestation) must be submitted to the insolvency court by the examination date or examination deadline at the latest.

weiterführende Informationen

<https://www.justiz.nrw/BS/formulare/insolvenz/forderungsanmeldung1/index.php>

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	
Kurztext	Determination of insolvency claims (at the audit meeting)
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Insolvenzforderungen Feststellung, Insolvency claims Determination