

99046040088000

Request protection orders

Heruntergeladen am 25.06.2025

<https://fimportal.de/xzufi-services/6000534/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99046040088000
Leistungsbezeichnung I	Request protection orders
Leistungsbezeichnung II	Request protection orders
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

Modul	Sachverhalt
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • Gesetz zum zivilrechtlichen Schutz vor Gewalttaten und Nachstellungen (GewSchG) • §§ 210 ff. Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit (FamFG) – Verfahren in Gewaltschutzsachen • § 81 FamFG – Grundsatz der Kostenpflicht
Teaser	Victims of stalking and victims of violent crimes can apply for civil protection orders against the perpetrator.
Volltext	<p>Court orders for protection in cases of acts of violence and stalking, also in the context of domestic violence</p> <p>Victims of stalking and victims of violent crimes can apply for civil protection orders against the perpetrator.</p> <p>The court can prohibit the perpetrator from</p> <ul style="list-style-type: none"> • from entering the home of the injured person, • approach the victim's home to within a radius determined by the court, • to stay in places where the victim regularly stays (for example, the victim's workplace, kindergarten, school of the victim's children, recreational facilities, homes of relatives), • Contacting the injured person (including telephone, fax, letters, e-mails), • To arrange meetings with the victim. In the event of an accidental or induced encounter, the perpetrator must leave immediately. <p>Depending on the case, the court may set further protection orders. Even if you have been the victim of a domestic violence crime, you can apply for civil protection orders.</p>
Erforderliche Unterlagen	Written application for protection (Link: "Forms & Online Services")
Voraussetzungen	<ul style="list-style-type: none"> • Threat or use of violence,

Modul

Sachverhalt

- Stalking,
- other unreasonable harassment, or
- unlawful entry into the victim's home or property

It does not matter whether the parties involved are married to each other or share a household.

Kosten

- Procedural fee (the party liable to pay is the one determined by the court at its own discretion)
- for interim measures in matrimonial proceedings: none

Note: The court may also order that costs be waived.

Verfahrensablauf

There is no obligation to be represented by a lawyer for proceedings at the district court, but in difficult cases it is advisable to consult a lawyer. If desired, affected persons can also receive help and support out of court when filing an application and during the proceedings.

Filing an application

The procedure begins when the victim files an application with the family court.

- Victims submit the necessary applications in writing or have them recorded at the application office of the competent court.
- Application forms are available on the internet as online forms.

If you only have a low income, it is recommended that you apply for counselling assistance and/or legal aid.

Hearing

After the application has been filed, an oral hearing is usually scheduled, chaired by a judge who decides on the application after hearing the arguments of each party.

Bearbeitungsdauer

Frist

- specific time limits for all proceedings (determined by the court)
- Extension of time limits at the request of

Modul	Sachverhalt
	the victim
weiterführende Informationen	
Hinweise	<p>Protection of children</p> <p>If the court has decided on protection orders for victims of domestic violence at your request, you should consider their effects on joint children. In particular, consider whether the perpetrator's rights of access, custody and residence must be restricted in the best interests of the children.</p> <p>Help and support</p> <p>If you have become a victim of domestic violence, the "Coordination and Intervention Centre for Domestic Violence" can help you with the application process. This institution will contact you as soon as you have filed a complaint against the perpetrator, provided you wish to do so.</p> <p>You can find the address of the responsible coordination and counselling centre in Saxony on an overview on the internet.</p> <p>Staff of women's and youth facilities can also assist you with the application and court proceedings.</p> <p>As a victim of a crime involving the use or threat of violence or as a victim of stalking, you can contact Opferhilfe Sachsen e. V. or Weißer Ring e. V. (White Ring). The staff of these associations advise crime victims, help in dealing with the authorities, also with the court, and also accompany you to court hearings if you wish.</p>
Rechtsbehelf	in principle none, however, request for oral hearing possible in order to present one's position in person at the hearing
Kurztext	
Ansprechpunkt	

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	