

99066005119000

Insolvency, apply for deferral of procedural costs

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/6000853-99066005119000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99066005119000
Leistungsbezeichnung I	Insolvency, apply for deferral of procedural costs
Leistungsbezeichnung II	Insolvency, apply for deferral of procedural costs
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	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • §§ 4 a ff. Insolvenzordnung (InsO) – Stundung der Kosten des Insolvenzverfahrens • § 63 Abs. 2 InsO – Vergütung des Insolvenzverwalters • § 115 Abs. 1 und 2 sowie § 120 Abs. 2 Zivilprozessordnung (ZPO)
Teaser	To ensure that even debtors without means are financially able to go through insolvency proceedings (prerequisite for obtaining a discharge of residual debt), the court can defer the costs of the proceedings at the request of the person concerned.
Volltext	<p>Application for deferral of the costs of insolvency proceedings in accordance with Sections 4a et seq. of the Insolvency Code (InsO)</p> <p>To ensure that even debtors without means are financially able to go through insolvency proceedings (prerequisite for obtaining a discharge of residual debt), the court can defer the costs of the proceedings at the request of the person concerned.</p> <p>If the insolvency estate is insufficient, court costs will not be charged until residual debt discharge is granted</p> <ul style="list-style-type: none"> • Court costs are not charged and • Insolvency administration costs are borne by the state treasury.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Deferral request
Voraussetzungen	<ul style="list-style-type: none"> • the debtor is a natural person • the debtor has filed for insolvency • an application for discharge of residual debt has been filed • there are no legal grounds to prevent the discharge of residual debt • the debtor's assets are not likely to be sufficient to cover the costs of the insolvency proceedings

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Kosten	none
Verfahrensablauf	<p>If you have any questions regarding the application and insolvency proceedings in general, please contact the judicial officer at the competent insolvency court.</p> <ul style="list-style-type: none"> • You apply for a deferral of the costs of the proceedings in connection with the application for discharge of residual debt. • You can obtain paper forms for the application from the court or from the collection of forms (see under the heading "Further information"). • Submit the completed and signed form to the competent court. • The court will examine the application and inform you of the decision in writing. <p>Note: The deferral is granted separately for each stage of the proceedings and must be applied for separately.</p> <p>Repayment</p> <p>Repayment of the deferred amounts begins after the insolvency proceedings, when residual debt discharge is granted.</p> <ul style="list-style-type: none"> • If you are unable to pay the outstanding amount in full or in part, an extension is possible upon your renewed application. • The court can set monthly instalments for repayment. A maximum of 48 monthly instalments must be paid. <p>Note: The court will adjust the deferral to your personal and financial circumstances - please report any changes immediately and without being asked.</p>
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	Legal fees can also be included in the deferral if the court deems such representation necessary. In the

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	case of simple proceedings, this is often not necessary due to the court's duty of care.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	