

99051001000000

Applying for compensation in criminal proceedings

Heruntergeladen am 07.07.2025

<https://fimportal.de/xzufi-services/1111-99051001000000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99051001000000
Leistungsbezeichnung I	Applying for compensation in criminal proceedings
Leistungsbezeichnung II	Applying for compensation in criminal proceedings
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

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Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	Strafprozessordnung (StPO): • §§ 403 - 406c Entschädigung des Verletzten
Teaser	Have you suffered damage as a result of a criminal offence?
Volltext	<p>Have you suffered damage as a result of a criminal offence?</p> <p>As a victim, you can claim this damage in criminal proceedings. As part of the criminal judgement, the criminal court also decides on the civil claim (adhesion proceedings). This saves you having to bring a further claim before a civil court.</p> <p>Note: The victim's heirs are also entitled to this right.</p> <p>The criminal court does not decide on compensation if it considers the accused person not guilty. The same applies if the criminal court is of the opinion that the asserted claim does not exist. The victim can then assert their claims before a civil court. This is also possible if the criminal court only recognises part of the asserted claim in the adhesion proceedings.</p>
Erforderliche Unterlagen	The competent authority may request documents such as • Invoices • Expert reports
Voraussetzungen	• The claim must not have been asserted elsewhere in court. • The defendant must have been at least 18 years old at the time of the offence.
Kosten	You may incur expenses in the proceedings, for example for instructing a lawyer. Your application may also result in higher costs for the court. If the court

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	grants your application, the defendant must also bear these costs. Otherwise, the court will decide who must bear the expenses incurred.
Verfahrensablauf	<p>You can apply for adhesion</p> <ul style="list-style-type: none"> • in writing to the court or the public prosecutor's office or • have it recorded by clerks of the court or • make an oral presentation at the main hearing. <p>Note: A lawyer is not required for the application.</p> <p>In your application, you must clearly state what (object) you expect from the accused person and why (reason). The application should also include the evidence. You do not have to state a fixed amount for the amount of compensation for pain and suffering. The court will determine the amount.</p> <p>Note: You can withdraw the application until the judgement is pronounced.</p> <p>The criminal court will decide on the civil claim asserted in the application for adhesion as part of the criminal judgement. You will receive a copy of the judgement and, on request, an enforceable copy.</p> <p>If the court comes to the conclusion that the application is inadmissible or unfounded, it will refrain from making a decision by means of an order.</p>
Bearbeitungsdauer	The court's decision depends on your application in the proceedings.
Frist	Submit your application as early as possible.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	Subject to the requirements set out in section 406a (1) sentence 1 of the Code of Criminal Procedure, the applicant may lodge an immediate appeal against the order in accordance with section 406 (5) of the Code of

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	Criminal Procedure. Otherwise, there is no right of appeal.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	