

99046008000000

Apply for legal aid or legal aid

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/289-99046008000000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99046008000000
Leistungsbezeichnung I	Apply for legal aid or legal aid
Leistungsbezeichnung II	Apply for legal aid or legal aid
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 Ansprechpartner	
Fachlich freigegeben am	

Modul
Sachverhalt

Fachlich freigegeben durch

Handlungsgrundlage
Teaser

You will incur various costs in court proceedings. First of all, you have to use your income and, as far as this is reasonable, your assets.

Volltext

You will incur various costs in court proceedings. First of all, you have to use your income and, as far as this is reasonable, your assets.

If you need financial help with this, you can apply for legal aid. This also applies if you can only bear the costs of court proceedings in part or only in instalments. In family cases and in matters of voluntary jurisdiction, legal aid is called legal aid.

You will receive legal aid without payment in instalments if you do not have more than 20 euros per month after deducting the following expenses and allowances:

Expenses:

- for taxes,
- Pension expenses,
- Income-related expenses and
- reasonable housing and heating costs.

Allowances:

- for you: 551.00 euros
- for a husband or wife or for a civil partner according to the Civil Partnership Act without own income, the amount is increased by 552 Euros
- for each additional person you support. Assuming a legal obligation to provide maintenance, the amounts are increased in each case by: 350.00 euros for children under 6 years of age 383.00 euros for children from 6 to under 14 years of age 462.00 euros for young people from 14 to under 18 years of age 442.00 euros for persons aged 18 and over
- for employed persons: additional 251,00 Euro

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If your income exceeds 20 euros, the court can order a monthly instalment payment or refuse legal aid. An exact calculation is only possible in a specific individual case.

Legal aid covers the court costs. It only covers the costs of your own lawyer if the court has appointed a lawyer.

Please note: Legal aid does not cover the costs of your opponent, for example his or her lawyer's fees. If you lose the case, you must reimburse these costs. Exceptions apply only in labour court disputes and in some family cases and matters of voluntary jurisdiction.

Erforderliche Unterlagen

- Passport or identity card
- Proof of income or tax assessment
- Rental contract (reasonable rental costs will be taken into account)
- other proof of expenses, income and assets

Voraussetzungen

- You are unable to raise the necessary funds due to your personal and economic circumstances.
- The court decision you are seeking has a chance of success.
- The exercise of your rights is not wanton. Willfulness exists if you do not behave like a person who would have to bear the costs himself and who would reasonably refrain from exercising his rights.

Notice: Legal aid will not be granted if the following persons have to pay the costs due to legal maintenance obligations:

- Your husband or wife,
- Your civil partner; or
- in the case of an unmarried child, one or both parents

Kosten

none

Verfahrensablauf

You may submit the application for legal aid in writing or on the record at the Registry. At the same time, you must attach the completed form "Declaration of personal and financial circumstances in the case of legal aid" to your application. You can find this form

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and further information on the justice portal.

In the application, you must describe the dispute in detail and completely. Also state any evidence you may have.

If you need help with the application, you can contact the court or a lawyer's office. A lawyer can also file the application.

The competent authority will check

- whether and to what extent you can pay the costs of the proceedings yourself, and
- whether the other requirements for the grant are met. In doing so, the court also decides whether you are to be assigned legal representation.

It then makes a decision about which you will receive a written notification.

The decision will contain information on

- whether you are entitled to legal aid, and if so, how much you will receive
- and, if applicable, the amount and number of instalments for repayment Repayment.

Notethe competent authority regularly checks whether the conditions for legal aid continue to apply. If there is a substantial change in your personal or financial circumstances, the court may reassess the scope or revoke the grant.

Attentionfalse statements can lead to the competent authority revoking the decision to grant assistance. The same applies if you are more than three months in arrears with an instalment payment or do not submit the required documents after being requested to do so.

Bearbeitungsdauer

Frist

none

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weiterführende Informationen	
Hinweise	<p>The competent authority will only grant you legal aid for the respective court instance, for example the proceedings before the local court.</p> <p>For subsequent proceedings, for example before the Regional Court, you must apply for legal aid again. This also applies to</p> <ul style="list-style-type: none"> • the enforcement of a judgement after a case has been won, • the appeal or complaint after a lost case, • the appeal or complaint procedure at the instigation of your litigant. <p>The Rechtspfleger of the Rechtsantragstelle or the office of the Rechtspfleger help free of charge with the formulation of applications or declarations intended for submission to the competent court. This also applies to questions regarding the application for the appointment of a lawyer. The Rechtspfleger at the Rechtsantragstelle provide advice themselves as far as possible or refer the matter to the competent office.</p>
Rechtsbehelf	<p>You can appeal against the decision on the application for legal aid. For this, the amount in dispute of the main case must exceed 600.00 euros, unless the court has exclusively denied the personal or economic circumstances for legal aid. Costs may be incurred for the appeal proceedings.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	