

99059001044000, 99059001044000

Request annulment of marriage

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/116185081/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99059001044000, 99059001044000
Leistungsbezeichnung I	Request annulment of marriage
Leistungsbezeichnung II	annulment of marriage
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Heirat (059)
Verrichtungskennung	Aufhebung (044)
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.09.2020
Fachlich freigegeben durch	Ministry of Justice, Equality and Consumer Protection of the State of Mecklenburg-Western Pomerania Senator for Justice and Constitution of the Free Hanseatic City of Bremen
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1313.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/famfg/_121.html https://www.gesetze-im-internet.de/famfg/_122.html https://www.gesetze-im-internet.de/famfg/_58.html https://www.gesetze-im-internet.de/bgb/_1313.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/famfg/_121.html https://www.gesetze-im-internet.de/famfg/_122.html https://www.gesetze-im-internet.de/famfg/_58.html
Teaser	If you think that your marriage is not legal, you can apply for annulment of your marriage.
Volltext	<p>A marriage can be annulled under certain circumstances, such as if you were a minor or legally incompetent when you married, you were in a state of unconsciousness or temporary mental disturbance when you married, you were fraudulently misled, you were unlawfully threatened, or you did not know it was a marriage.</p> <p>To apply to the competent local court - family court - please contact a lawyer. In the court proceedings, it is examined whether there are grounds for annulment. Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you wish to continue the marriage. If, for example, you were not yet 18 years old when you got married and now, as an adult, you indicate that you want to continue the marriage, the marriage will continue.</p>
Erforderliche Unterlagen	• Copy of the marriage certificate

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	<ul style="list-style-type: none"> • If applicable, proof of the reason for annulment, e.g. medical documents, police reports
Voraussetzungen	<p>The marriage could be annulable if, at the time of the marriage, you were z. B.:</p> <ul style="list-style-type: none"> • were not yet of age • were in a state of unconsciousness or temporary mental disturbance at the time of marriage • were fraudulently deceived • have been unlawfully induced to enter into marriage by threat, or • were legally incompetent • were not aware of the fact at the time of marriage. <p>Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if you indicate that you want to continue the marriage. If, for example, you were not yet 18 years old when you got married and you now indicate that you want to continue the marriage as an adult, the marriage will continue.</p>
Kosten	<ul style="list-style-type: none"> • Lawyers' fees according to the Lawyers' Fees Act (RVG) • Costs of the court, § 43 Law on court costs in family matters (FamGKG) • in each case calculation according to the amount of the object value (depending on income and assets) • in case of indigence legal aid can be applied for
Verfahrensablauf	<p>Proceedings for annulment of marriage can be initiated only by a lawyer.</p> <ul style="list-style-type: none"> • The lawyer will file a written, reasoned petition for annulment with the District Court - Family Court. • The family court will serve this petition on the spouse. • The further procedure depends on the reaction of the spouse. As a rule, there will be a court hearing at which both spouses will be heard. It may be necessary to take evidence on the conditions for annulment. • The family court will then decide on the application by way of an order. • An appeal against the decision of the Local Court can be lodged within one month by a lawyer. The

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	competent Higher Regional Court will decide on this.
Bearbeitungsdauer	At least 3 months due to the prescribed procedure, possibly longer in more complex procedures.
Frist	Depending on the reason for cancellation, one year, e.g. in the case of fraudulent misrepresentation, or three years in the case of unlawful threat from the time of discovery of the reason for cancellation (Section 1317 BGB)
weiterführende Informationen	<ul style="list-style-type: none"> • For information on annulment of marriage see https://www.bmfsfj.de/
Hinweise	
Rechtsbehelf	Appeal pursuant to §§ 58 et seq. FamFG against the family court decision within one month by a lawyer or attorney-at-law
Kurztext	<ul style="list-style-type: none"> • annulment of marriage • Lawyer compulsion • Prerequisite for annulment of marriage is, for example: Minority Incapacity, ...fraudulent misrepresentation..., Unlawful threat or Mistake about the marriage <p>at the time of the marriage</p> <ul style="list-style-type: none"> • Application must be made to the competent - family court - to be filed • Under certain circumstances, the annulment of the marriage is nevertheless excluded. This would be the case if the applicant indicates that he/she wishes to continue the marriage (confirmation). If, for example, the applicant was not yet 18 years old at the time of marriage and now indicates as an adult that he/she wishes to continue the marriage, the marriage will continue.
Ansprechpunkt	Please consult a lawyer.
Zuständige Stelle	The local court - family court - responsible for you in accordance with § 122 FamFG will be determined by the lawyer appointed by you.

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Formulare	none
Ursprungsportal	Request annulment of marriage, Aufhebung der Eheschließung beantragen, annulment of marriage