

99079001044000, 99079001044000

# Cancellation or "divorce" of the civil partnership

Heruntergeladen am 20.06.2025

<https://fimportal.de/xzufi-services/117064530/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99079001044000, 99079001044000
Leistungsbezeichnung I	Cancellation or "divorce" of the civil partnership
Leistungsbezeichnung II	Cancellation or "divorce" of the civil partnership
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	Lebenspartnerschaft (079)
Verrichtungskennung	Aufhebung (044)
SDG-Informationsbereich	Leben in einer binationalen Partnerschaft, auch einer gleichgeschlechtlichen Partnerschaft (Eheschließung, zivile/eingetragene Partnerschaft, Trennung, Scheidung, Güterrecht, Rechte von Lebenspartnern)

Modul	Sachverhalt
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.07.2021
Fachlich freigegeben durch	Senator for Justice and Constitution of the Free Hanseatic City of Bremen Ministry of Justice Mecklenburg-Western Pomerania
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/famfg/_269.html">https://www.gesetze-im-internet.de/famfg/_269.html</a> <a href="https://www.gesetze-im-internet.de/lpartg/_15.html">https://www.gesetze-im-internet.de/lpartg/_15.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_270.html">https://www.gesetze-im-internet.de/famfg/_270.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_122.html">https://www.gesetze-im-internet.de/famfg/_122.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_58.html">https://www.gesetze-im-internet.de/famfg/_58.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_269.html">https://www.gesetze-im-internet.de/famfg/_269.html</a> <a href="https://www.gesetze-im-internet.de/lpartg/_15.html">https://www.gesetze-im-internet.de/lpartg/_15.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_270.html">https://www.gesetze-im-internet.de/famfg/_270.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_111.html">https://www.gesetze-im-internet.de/famfg/_111.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_122.html">https://www.gesetze-im-internet.de/famfg/_122.html</a> <a href="https://www.gesetze-im-internet.de/famfg/_58.html">https://www.gesetze-im-internet.de/famfg/_58.html</a>
Teaser	If you wish to end your civil partnership, you can apply to have your civil partnership dissolved.
Volltext	<p>A civil partnership can be dissolved by the court under certain conditions.</p> <p>To file an application with the competent local court - family court - please contact a lawyer. Your life partner does not need legal representation if he or she agrees to the annulment and does not want to file an application himself or herself.</p> <p>The court proceedings will examine whether one of the grounds for annulment applies.</p>
Erforderliche Unterlagen	<p>As a rule, the following must be presented for this purpose:</p> <ul style="list-style-type: none"> <li>• Your photo ID</li> <li>• the original or a certified copy of the marriage certificate</li> </ul> <p>Please seek legal advice as to which documents your lawyer will need from you.</p>
Voraussetzungen	<ul style="list-style-type: none"> <li>• you have been separated for one year and both want</li> </ul>

**Modul**
**Sachverhalt**

to annul the marriage, or

- it cannot be expected that a partnership can be re-established between you or
- You have been separated for three years or
- You have been separated for less than one year, but the continuation of the partnership would be an unreasonable hardship for you for reasons that lie in the person of the other person.

**Kosten**

- Attorney's fees according to the German Attorney's Fees Act (RVG)
- Court costs, § 43 Law on Court Costs in Family Matters (FamGKG)
- in each case calculation according to the amount of the object value (income and assets dependent)
- In case of indigence, legal aid can be applied for
- As a rule, the court orders the costs to be waived. This means that each of the partners bears his or her own attorney's fees and half of the court costs.
- If the cohabitants have made a different agreement about the costs, the court may agree to it in whole or in part.
- If the application for annulment is rejected, the applicant must bear all the costs.

**Verfahrensablauf**

Your lawyer must apply for annulment to the family court on your behalf.

- The court will serve the petition for annulment on your domestic partner. You do not have to be represented by a lawyer to approve the petition for divorce.
- At the hearing on the petition for annulment, the partners are usually heard in person on the conditions for annulment.
- If the requirements for dissolution are met, the family court will pronounce dissolution of the civil partnership by way of an order.

**Bearbeitungsdauer**

- At least 3 months due to the prescribed procedure, in more complex procedures possibly longer, depending on the individual case.

**Frist**

None

**weiterführende Informationen**

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	Complaint pursuant to §§ 58 et seq. FamFG against the family court decision within one month by a lawyer.
Kurztext	<ul style="list-style-type: none"> <li>• Cancellation of civil partnership</li> <li>• Requirement for the applicant to be represented by a lawyer</li> <li>• Civil partner does not need legal representation if he or she agrees to the dissolution and does not want to file a petition himself or herself               <ul style="list-style-type: none"> <li>• Living apart for one year and both cohabiting partners want the annulment or</li> <li>• it cannot be expected that a partnership between the partners can be re-established or</li> </ul> </li> <li>• Prerequisites: one partner applies for dissolution and the partners have been separated for 3 years.               <ul style="list-style-type: none"> <li>• if separated for less than one year, the continuation of the partnership would be an unreasonable hardship for the applicant for reasons relating to the civil partner</li> </ul> </li> <li>• responsible: Local Court - Family Court -</li> </ul>
Ansprechpunkt	<ul style="list-style-type: none"> <li>• Please consult a lawyer.</li> </ul>
Zuständige Stelle	<ul style="list-style-type: none"> <li>• The local court - family court - responsible for you pursuant to section 270 (1) sentence 1 in conjunction with section 122 FamFG. § 122 FamFG - family court - will be determined by the lawyer appointed by you.</li> </ul>
Formulare	None
Ursprungsportal	Aufhebung bzw. „Scheidung“ der Lebenspartnerschaft, Cancellation or "divorce" of the civil partnership, Cancellation or "divorce" of the civil partnership