

99066008037000, 99066008037000

Have insolvency claim established

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/448860375/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99066008037000, 99066008037000
Leistungsbezeichnung I	Have insolvency claim established
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Insolvenz (066)
Verrichtungskennung	Feststellung (037)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Sanierung und Insolvenz (2160300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	17.03.2022

Modul	Sachverhalt
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/inso/_174.html https://www.gesetze-im-internet.de/inso/_174.html
Teaser	If you, as a creditor, wish to participate in insolvency proceedings and in the distribution of the insolvency estate, your registered claim must be established.
Volltext	<p>The claims lodged by the insolvency creditors (see also text "Insolvency claims" or filing insolvency claims) are examined. This can be done in a so-called examination date or after an audit deadline in a written procedure. As a rule, you can find this date or reference date in the decision by which the insolvency proceedings were opened. Subsequent examination dates or deadlines – in particular for claims filed late – are ordered by separate decisions of the insolvency court.</p> <p>If a claim is not disputed or only contested by the debtor, it shall be deemed to have been established for further insolvency proceedings in accordance with the application. In the case of ordered self-administration, the debtor's objection also prevents the claim from being established.</p> <p>If a party to the proceedings considers a registered claim to be false and does not agree with the intended judicial determination of this claim in the insolvency table, he may object to this claim (so-called "dispute"). If a party to the proceedings wishes to contest a claim to be examined, he must submit the corresponding written objection to the insolvency court at the latest on the examination date or examination date. The insolvency court will record the declarations submitted at the hearing or after the end of the audit date.</p> <p>The insolvency court does not have jurisdiction to decide whether an objection is justified. The establishment of a claim that is wholly or partially disputed shall be pursued by the legal process provided for by the general laws. If the claim already has an enforceable debt instrument, it is for the contesting party to pursue the objection by means of the generally permissible legal means. If such a debt</p>

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	instrument does not yet exist, it is incumbent on the alleged creditor to pursue the determination of the claim by means of the legal process generally provided for this purpose. The contesting party must therefore expect that an action will be brought against him/her because of the opposition.
Erforderliche Unterlagen	None
Voraussetzungen	You must have validly lodged your claim with the insolvency administrator.
Kosten	<ul style="list-style-type: none"> • • •
Verfahrensablauf	<p>You must first register insolvency claims with the insolvency administrator.</p> <p>The claims lodged in due time will then be examined. This can be done in a so-called examination date or after an audit deadline in a written procedure. As a rule, you can find this date or reference date in the decision by which the insolvency proceedings were opened.</p> <p>Subsequent examination dates or deadlines – in particular for claims filed late – are ordered by separate decisions of the insolvency court (insofar as the necessary legal requirements are met in the respective individual case).</p>
Bearbeitungsdauer	Processing time depends on the specific individual case. The table must be available within the first third of the period between the registration deadline and the examination date.
Frist	Written objection ("contesting") must be submitted to the insolvency court at the latest by the examination date or examination date.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	All legal remedies available against final judgments are

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	possible against the established claims.
Kurztext	<ul style="list-style-type: none"> • Have insolvency claim established • registered claims are checked • Examination can take place in so-called examination date or in written procedure • if the claim remains undisputed, it shall be deemed to have been established • Determination by a locally competent insolvency court • It is not for the insolvency court to decide whether an objection is justified, but for the courts with general jurisdiction.
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Have insolvency claim established, Insolvenzforderung feststellen lassen