

99046008017002

Heruntergeladen am 10.07.2025

<https://fimportal.de/xzufi-services/509183125/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99046008017002
Leistungsbezeichnung I	
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	Gerichtliche Leistungen (046)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	16.03.2022

Modul	Sachverhalt
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/zpo/BJNR005330950.html#BJNR005330950BJNG052302301 https://www.gesetze-im-internet.de/rvg/_47.html https://www.gesetze-im-internet.de/rvg/_47.html
Teaser	Legal aid: Obtaining an advance for lawyer's fees in the proceedings
Volltext	The determination of an advance applies to proceedings in which the court has granted legal aid to the party and you have been assigned as a lawyer. In proceedings concerning family matters or voluntary jurisdiction, and in other specific proceedings, you can only request it if the person obliged to pay is in arrears with the payment of the advance.
Erforderliche Unterlagen	• Application for payment of the advance • Explanation of the fees incurred and the expenses incurred and expected to be incurred
Voraussetzungen	• The court shall grant legal aid or legal aid to the party. • The court assigns a lawyer to the party. In addition, the advance can only be demanded for the fees already incurred (there is no advance on fees that have not yet been realized) and for the expenses incurred and expected to be incurred, cf. § 47.1 sentence 1 RVG. In the cases of § 47 (1) sentence 2 RVG, a further prerequisite is that the person obliged to pay is in default of payment of the advance.
Kosten	
Verfahrensablauf	In order to determine an advance payment, you as a lawyer must submit a written application to the court. In it, set out the fees incurred and expenses incurred and expected to be incurred.
Bearbeitungsdauer	
Frist	

Modul	Sachverhalt
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	You must apply to the court for legal aid
Zuständige Stelle	
Formulare	
Ursprungsportal	Prozesskostenhilfe Bewilligung als Vorschuss