

99079001044000, 99079001044000

# Applying for dissolution of the civil partnership

Heruntergeladen am 20.06.2025

<https://fimportal.de/xzufi-services/9147260/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99079001044000, 99079001044000
Leistungsbezeichnung I	Applying for dissolution of the civil partnership
Leistungsbezeichnung II	Applying for dissolution of the civil partnership
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
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)
Lagen Portalverbund	Scheidung (1020400)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.10.2020
Fachlich freigegeben durch	Senator for Justice and Constitution of the Free Hanseatic City of Bremen
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>
Teaser	If you want to end your civil partnership, you can apply to dissolve your civil partnership.
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 civil partner does not need legal representation if he or she agrees to the dissolution and does not wish to make any applications themselves.</p> <p>The court proceedings will examine whether one of the grounds for annulment applies.</p>
Erforderliche Unterlagen	<p>As a rule, you will need to present</p> <ul style="list-style-type: none"> <li>• Your photo ID</li> <li>• the original marriage certificate or a certified copy of it</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 a year and both want an annulment or</li> <li>• it cannot be expected that a partnership can be re-established between you or</li> <li>• You have already been separated for three years or</li> <li>• You have been separated for less than a year, but continuing the partnership would be an unreasonable hardship for you for reasons relating to the other person.</li> </ul>
Kosten	<ul style="list-style-type: none"> <li>• Lawyers' fees in accordance with the Lawyers' Fees</li> </ul>

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	<p>Act (RVG)</p> <ul style="list-style-type: none"> <li>• Court costs, Section 43 of the Act on Court Costs in Family Matters (FamGKG)</li> <li>• each calculated according to the amount of the object value (depending on income and assets)</li> <li>• Legal aid can be applied for if you are indigent</li> <li>• As a rule, the court orders the costs to be waived. This means that each partner bears their own legal fees and half of the court costs.</li> <li>• If the partners have reached a different agreement on the costs, the court may agree to this in full or in part.</li> <li>• If the application for annulment is rejected, the applicant must bear all costs.</li> </ul>
Verfahrensablauf	<p>Your lawyer must apply to the family court for the annulment on your behalf.</p> <ul style="list-style-type: none"> <li>• The court will serve the application for annulment on your partner. There is no obligation to have a lawyer to consent to the application for divorce.</li> <li>• At the hearing on the application for annulment, the partners are usually heard in person on the conditions for annulment.</li> <li>• If the conditions for dissolution are met, the family court will issue an order dissolving the civil partnership.</li> </ul>
Bearbeitungsdauer	<ul style="list-style-type: none"> <li>• At least 3 months due to the prescribed procedure, possibly longer in more complex procedures, depending on the individual case</li> </ul>
Frist	None
weiterführende Informationen	<a href="https://www.service-bw.de/web/guest/leistung/-/sbw/Lebenspartnerschaft%20Aufhebung%20beantragen-1907-leistung-0#sb-id-toc-block8">https://www.service-bw.de/web/guest/leistung/-/sbw/Lebenspartnerschaft%20Aufhebung%20beantragen-1907-leistung-0#sb-id-toc-block8</a>
Hinweise	
Rechtsbehelf	<p>Appeal pursuant to §§ 58 ff. FamFG against the family court decision within one month through a lawyer</p>
Kurztext	<ul style="list-style-type: none"> <li>• Dissolution of civil partnership</li> <li>• Compulsory legal representation for the applicant</li> <li>• Civil partner does not require legal representation if he or she agrees to the dissolution and does not wish</li> </ul>

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	<p>to submit any applications himself or herself</p> <ul style="list-style-type: none"> <li>• Separation for one year and both partners want the annulment or</li> <li>• it cannot be expected that a cohabitation between the partners can be re-established or</li> <li>• Prerequisites: one partner applies for annulment and the partners have been separated for 3 years</li> <li>• if they have been separated for less than one year, the continuation of the partnership would be an unreasonable hardship for the applicant for reasons relating to their partner</li> <li>•</li> <li>• competent court: Local Court - Family Court -</li> </ul>
Ansprechpunkt	<ul style="list-style-type: none"> <li>• Please contact a lawyer.</li> </ul>
Zuständige Stelle	<p>The local court responsible for you – family court – will determine the lawyer you have instructed.</p> <p><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/_122.html">https://www.gesetze-im-internet.de/famfg/_122.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/_122.html">https://www.gesetze-im-internet.de/famfg/_122.html</a></p>
Formulare	None
Ursprungsportal	<p>Aufhebung der Lebenspartnerschaft beantragen,          Applying for dissolution of the civil partnership</p>