

99082004007000

Heruntergeladen am 11.06.2025

<https://fimportal.de/xzufi-services/27384/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99082004007000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Professional practice company; application for admission by lawyers
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	11.03.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium der Justiz (Bavarian State Ministry of Justice)
Handlungsgrundlage	http://www.gesetze-im-internet.de/brao/BJNR005650959.html#BJNR005650959BJNG005702125 http://www.gesetze-im-internet.de/brao/BJNR005650959.html#BJNR005650959BJNG005702125
Teaser	Lawyers may join together to form professional associations for the joint practice of their profession. Associations with members of other professions are also possible. These must generally be approved by the bar associations.
Volltext	<p>Lawyers have a wide range of opportunities for professional cooperation. The institute of the professional practice association enables lawyers to join forces with each other, but also with members of other professions. For example, an association with patent attorneys, tax consultants, tax agents, auditors and sworn accountants is possible. An association with members of other liberal professions is also permitted under the conditions of section 59c (1) sentence 1 no. 4 of the Federal Lawyers' Act (BRAO). Members of the legal professions from other countries may also be included in professional associations if they would be entitled to establish themselves in Germany under the Act on the Activities of European Lawyers in Germany or under section 206 BRAO.</p> <p>Professional practice firms are free to choose their legal form: they can organize themselves in any legal form permitted under German law. Commercial companies are also possible. In addition, European companies are permitted, as are companies that are permitted under the law of a member state of the European Union or a signatory state to the Agreement on the European Economic Area.</p> <p>Professional practice companies in which lawyers hold the majority of voting rights and in which the majority of the members of the management body are lawyers may call themselves "Rechtsanwaltsgesellschaften".</p>

Modul

Sachverhalt

Professional practice companies must be licensed by the locally competent bar association.

Erforderliche Unterlagen

- Application for admission of a professional practice company

The application forms of the competent bar association are displayed under "Forms" if you have selected the location of the registered office of the professional practice company.

- Proof of conclusion of professional liability insurance or provisional confirmation of coverage
- Current excerpt from the register, if one is already available

(A law firm is obliged to take out professional liability insurance with an insurance company authorized to do business in the country and to maintain it for the duration of the license. The minimum insurance sum is 2,500,000 euros for the individual case of damage. The insurer's benefits for all damages caused within one insurance year may be limited to the amount of the minimum insurance sum multiplied by the number of partners and managing directors who are not partners. However, the maximum annual benefit must amount to at least four times the minimum sum insured (§ 59j BRAO in conjunction with § 51 BRAO).

- In the case of non-lawyer partners or members of the management and supervisory bodies: membership certificate of the competent chamber, if the partners belong to a chamber

otherwise: suitable qualification, study or activity certificates

- Information on any further documents that may need to be submitted can be obtained from the relevant bar associations.

Voraussetzungen

A prerequisite for admission is that the partners and members of the management and supervisory bodies belong to the professional groups listed in sections 59b

Modul

Sachverhalt

and 59c BRAO. The professional practice company must have chosen an admissible legal form and must not be in a state of financial collapse. It must also provide evidence that it has taken out professional liability insurance or present a provisional cover note. The professional liability insurance must be taken out with an insurance company authorized to do business in Germany and must cover liability risks for financial losses arising from advice and representation in legal matters. It must be maintained for the duration of the activity.

Once licensed, professional practice companies become members of the licensing chambers.

Admission is not required for

- Partnerships in which, firstly, the liability of natural persons is not limited and, secondly, the partners and members of the management and supervisory bodies are exclusively lawyers, patent attorneys, tax consultants, tax agents, auditors or sworn accountants,
- professional practice companies that were founded as partnerships either by several licensed professional practice companies or by one or more licensed professional practice companies and one or more lawyers for the handling of a single mandate (mandate company). The establishment of a client company must be reported to the bar associations to which the professional practice companies and lawyers involved are admitted.

However, the aforementioned companies can voluntarily apply for admission. After admission, they also become members of the admitting bar association.

Kosten

Fees are charged for admission. These are determined by the bar association.

In addition, there is an annual membership fee set by the respective bar association for the company as well as the chamber fee for the individual natural persons,

Modul	Sachverhalt
	<p>insofar as they are also members of the respective bar association. Information on the amount of the annual membership fees can be obtained from the bar associations.</p> <p>The fees and contributions can be paid by bank transfer (also via online banking).</p>
Verfahrensablauf	<p>Admission must be applied for using the application form of the competent bar association.</p> <ul style="list-style-type: none"> • The bar association checks the admission requirements. • If the admission requirements are met, the professional practice company is admitted. • Upon admission, the professional practice company becomes a member of the Bar Association.
Bearbeitungsdauer	The competent bar association will decide on your application once all the necessary application documents have been submitted.
Frist	none
weiterführende Informationen	
Hinweise	The regulations on professional practice companies came into force with effect from August 1, 2022. They have replaced the previously applicable regulations on law firms and significantly expanded the possibilities for professional associations of lawyers.
Rechtsbehelf	Legal disputes in connection with admission to the bar are decided by the Lawyers' Court (sections 112a et seq. BRAO).
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal