

99046016002000

Trennungsunterhalt Festsetzung

Heruntergeladen am 08.07.2025

<https://fimportal.de/xzufi-services/S1000030001858565/S100003>

Modul	Sachverhalt
Leistungsschlüssel	99046016002000
Leistungsbezeichnung I	Trennungsunterhalt Festsetzung
Leistungsbezeichnung II	Enforcement of alimony during the separation phase
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bremen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Scheidung (1020400)
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	29.02.2024

Modul

Sachverhalt

Fachlich freigegeben durch

Handlungsgrundlage

https://www.gesetze-im-internet.de/famfg/_113.html
https://www.gesetze-im-internet.de/famfg/_114.html
https://www.gesetze-im-internet.de/famfg/_231.html
https://www.gesetze-im-internet.de/famfg/_232.html
https://www.gesetze-im-internet.de/bgb/_1361.html
https://www.gesetze-im-internet.de/famfg/_111.html
https://www.gesetze-im-internet.de/famfg/_269.html
https://www.gesetze-im-internet.de/famfg/_270.html

Teaser

If you are married or in a registered civil partnership but living separately, you can demand reasonable maintenance from your partner even before the divorce.

Volltext

If you are unable to agree on an appropriate amount of maintenance with your spouse who is separating, you can assert your claim for separation maintenance in court. The course of such court proceedings is essentially based on the rules applicable to civil proceedings.

The claim for separation maintenance is calculated according to the recognized principles of maintenance calculation, which fill out the undefined legal terms of the maintenance law. For details, please contact a lawyer.

Further information can also be found in the maintenance law guidelines of the higher regional courts.

Erforderliche Unterlagen

- Proof of income, assets and personal and economic circumstances

Voraussetzungen

In principle, a claim for separation maintenance presupposes that

- the spouses or partners live separately,
- the need is determined according to the marital living conditions,
- the claimant is needy (the income and payment obligations of the person claiming maintenance as well as the obligation to his/her own gainful employment)

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	are decisive here). • the respondent is capable of paying. • For details, please contact a lawyer.
Kosten	- Legal costs - Lawyer's fees Both are based on the amount in dispute.
Verfahrensablauf	An application to enforce separation maintenance can only be filed by a lawyer. • The further course of the court proceedings is essentially governed by the provisions on civil proceedings. • The court sends the application to the defendant. The respondent is given the opportunity to comment. • The family court then sets an amount for maintenance. • The court may order the parties to provide information about their income, assets, and personal and economic circumstances. If you and your former (spouse) partner do not comply with this order, the court can independently obtain information, e.g. from employers or insurance companies.
Bearbeitungsdauer	At least 3 months due to the prescribed procedure, in more complex procedures possibly longer, depending on the individual case.
Frist	You must assert your claim in good time during your separation phase. You are only entitled to retroactive maintenance under certain conditions.
weiterführende Informationen	https://www.oberlandesgericht.bremen.de/informationen/unterhaltsleitlinien-1616 https://www.bmfsfj.de/
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	

Modul

Sachverhalt

Ursprungsportal

Serviceportal der Freien Hansestadt Bremen, Service
portal of the Free Hanseatic City of Bremen