

# Claiming divorce maintenance

If you are legally divorced and you are unable to support yourself, you can claim reasonable maintenance from your former spouse.

## Competent Department

- [Amtsgericht Bremen](#)
- [Amtsgericht Bremen-Blumenthal](#)
- [Amtsgericht Bremerhaven](#)

## Basic information

In principle, you and your former spouse are initially obliged to provide for your own maintenance on your own responsibility after the divorce. If you are unable to do so after the divorce, you can assert a claim for maintenance.

If you are unable to reach an agreement with your divorced spouse on an appropriate amount of maintenance, you can assert your claim for divorced maintenance in court. For details, please contact a lawyer.

Further information can also be found in the maintenance guidelines of the Higher Regional Courts.

## Requirements

- the spouses are legally divorced
- There is a legal requirement for alimony, e.g. alimony due to child care, old age, illness, unemployment, supplementary alimony.
- Entitlement existed at the time of divorce
- Need according to the marital living conditions
- You must be indigent.
  - Your income and your payment obligations as well as the obligation to your own gainful employment are decisive here.
- the claimant must be able to pay

## What documents do I need?

- Proof of income, assets and personal and economic circumstances
- If necessary, other supporting documents to be determined by the court
- If applicable, written assurance that the information provided is true and complete

# Procedure

An application for divorce maintenance can only be filed by a lawyer. This does not apply to proceedings for a temporary injunction. The lawyer appointed by you will determine which family court has local jurisdiction for you.

- The course of the court proceedings is essentially based on the rules governing civil proceedings.
- The court may order you and your former spouse to provide information about their respective income, assets and personal and economic circumstances. If you or your former spouse do not comply with this order within the set time limit, the court may independently obtain information, for example from employers or insurance companies.

## Legal bases

- [§§ 1569 bis 1586b Bürgerliches Gesetzbuch \(BGB\)](#)
- [§ 111 Nummer 8 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§ 112 Nummer 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§ 113 Absatz 1 bis 3 und 5 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§ 114 Absatz 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)
- [§§ 231 bis 248 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)

## What deadlines must be paid attention to?

There are no legal deadlines.

## How long does it take to process

The processing time depends on the circumstances of the individual case. In main proceedings, the processing time is generally around 3 to 6 months; in more complex proceedings, it may be longer.

Proceedings by way of temporary injunction generally take 3 to 6 weeks to complete.

## What are the costs?

- Legal costs
- Attorney's fees

Both are essentially based on the value of the proceedings.