

99082004007000, 99082004007000

Law Firm Admission

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/102005399/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99082004007000, 99082004007000
Leistungsbezeichnung I	Law Firm Admission
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Rechtspflege (082)
Verrichtungskennung	Zulassung (007)
SDG-Informationsbereich	Anerkennung von Qualifikationen zum Zwecke der Beschäftigung in einem anderen Mitgliedstaat
Lagen Portalverbund	Anmeldepflichten (2010100), Erlaubnisse und Genehmigungen (2010400)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	Ja
Fachlich freigegeben am	16.01.2020
Fachlich freigegeben durch	Ministry of Economy, Labour and Energy of the State of Brandenburg Heinrich-Mann-Allee 107 14473 Potsdam Phone: +49 (0)331 866-1676 Fax.: +49 (0)331 866-1753
Handlungsgrundlage	https://www.gesetze-im-internet.de/brao/_59c.html https://www.gesetze-im-internet.de/brao/BJNR005650959.html#BJNR005650959BJNG005700307
Teaser	Applying for the admission of a law firm to the bar
Volltext	<p>The Rechtsanwalts-GmbH, just like the GbR, the partnership or the Anwalts-AG, is one of several permissible forms of organisation of legal activities under company law. The Rechtsanwalts-GmbH does not have any special or additional advisory powers compared to the individual lawyer or the partnership lawyer; it is only intended to enable the exercise of a profession in the form of a corporation.</p> <p>Admission is granted by the bar association in whose district you wish to be admitted.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Copy or certified copy of the articles of association • Certified copy of the current list of shareholders in accordance with Section 8 (1) No. 3 of the German Limited Liability Companies Act (GmbHG) • Copies of employment contracts of the managing directors of authorized signatories of the authorized representatives for the entire business operation • Photocopy of the Certificate of Incorporation • Proof of liability insurance or provisional cover commitment • Proof of payment of the fee • Photocopy of the shareholders' resolution on the appointment of the managing directors, if necessary also of authorised signatories (only if the appointment does not result from the articles of association or the certificate of incorporation)
Voraussetzungen	§ 59d BRAO according to § 59m paragraph 2 in conjunction with § 36 BRAO in conjunction with § 26 VwVfG

Modul
Sachverhalt

The following special requirements arise for the law firm:

- The purpose of the company is to advise and represent clients in legal matters
- Shareholders and managing directors may only be attorneys-at-law, patent attorneys, tax consultants, tax representatives, auditors or sworn accountants
- Majority of shares and voting rights are held by lawyers
- Responsible management by lawyers
- the partners must actively exercise their profession
- No participation of borrowed capital
- the company must contain the name of at least one legal partner and the designation "law firm"
- the company must comply with the legal requirements
- Proof of sufficient professional indemnity insurance or temporary coverage must be provided
- the company must not be in a state of asset decay

Kosten

€ 1,025.00 (Regulations of the Bar Association of the State of Brandenburg on the Charging of Administrative Fees for the Admission Procedure and the Appointment of Representatives - GO § 1 No. 2)

Verfahrensablauf

- submission of the application to the competent chamber; the application must be signed by hand or provided with a qualified electronic signature
- Examination of the submitted documents and, if necessary, subsequent request for missing documents
- after all requirements have been met: issuance of the certificate of admission of the law firm

Bearbeitungsdauer

2 to 4 weeks

Frist
weiterführende Informationen

- Federal Court of Justice decision of 10.01.2005 (NJW 2005, 1568) on the admission of a stock corporation as a law firm
 - Federal Court of Justice decision of 14.11.2005 (NJW 2006, 1132) on requirements for the legal form of the company
- <https://www.brak.de/anwaltschaft/berufsrecht/>

Modul	Sachverhalt
	https://www.brak.de/anwaltschaft/berufsrecht/
Hinweise	<ul style="list-style-type: none"> • If proceedings are being conducted against a shareholder or authorised representative of the company with the aim of withdrawing or revoking his or her licence or appointment, or if a provisional ban on practising or representing the company has been issued against him, the decision on the admission of the law firm may be temporarily suspended. • The establishment of the GmbH, i.e. the act of incorporation, the notarization and the entry in the register are not initiated or even carried out by the Bar Association, but only required. The admission of a GmbH as a Rechtsanwalts-GmbH requires an already completed act of incorporation under company law, which is essentially based on the provisions of the GmbH Act. • After approval, the GmbH can be commissioned as a legal representative in accordance with § 59 I BRAO. • The participation of law firms in associations for the joint practice of the profession is not permitted. • The law firm must immediately notify the Bar Association of any changes to the articles of association, the shareholders or in the person of the persons authorised to represent them in accordance with § 59f BRAO, as well as the establishment or dissolution of branches, enclosing a publicly certified copy of the respective document.
Rechtsbehelf	
Kurztext	• Law firm, apply for admission to the bar
Ansprechpunkt	
Zuständige Stelle	The Bar Association is responsible
Formulare	
Ursprungsportal	Rechtsanwaltsgesellschaft Zulassung, Law Firm Admission