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Taking evidence

Germany

NB! Council Regulation (EC) No [1206/2001](#) has been replaced by Regulation (EU) [2020/1783](#) of the European Parliament and of the Council as of 1 July 2022.

Notifications made under the new Regulation can be found [here!](#)

Article 2 – Requested courts

For the purposes of taking evidence, the requested court within the meaning of Article 2(1) of the Regulation is the district court (Amtsgericht) of the district in which the proceedings are to be conducted. Länder governments may issue an executive order instructing one court to perform the tasks of the requested court for districts covered by several local district courts.

Article 3 – Central body

The tasks of the central body are performed by an authority designated by the Land government in each Land. These authorities are usually the Land judicial authorities or a Higher Regional Court (Oberlandesgericht) in the Land in question.

Article 5 – Languages accepted for completion of the forms

Requests and communications pursuant to the Regulation may only be drawn up in German, and the form (application) may also only be completed in German.

Article 6 – Means accepted for transmission of requests and other communications

The following means of receipt are available:

- for receipt and dispatch: post, including private courier services, fax,
- for informal communication: telephone and e-mail.

Article 17 – Central body or competent authority(ies) responsible for decisions on requests for direct taking of evidence

The tasks of the central body are performed by an authority designated by the Land government in each Land. These authorities are usually the Land judicial authorities or a Higher Regional Court (Oberlandesgericht) in the Land in question.

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