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German

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About the network

Germany

As a result of Germany's federal structure, there are contact centres in each state in addition to the EJM (European Judicial Network) federal contact centre. The state contact centres are, depending on the organisational structure of the individual state, either located at the Higher Regional Court (*Oberlandesgericht*) (Bavaria, Bremen, Hamburg, Hessen, Lower Saxony, North Rhine-Westphalia and Saxony) or the state Ministry of Justice (*Landesjustizministerium*). There are 17 EJM contact centres in Germany altogether. The federal contact centre is responsible for coordinating the national network and organising events, such as the European Day of Justice and meetings of German EJM members.

Tasks are allocated internally between the state contact centres and the federal contact centre. The federal contact centre answers all queries relating to German civil or commercial law, and the organisation of the courts. Enquiries relating to a specific case are, however, dealt with by the contact centre in the state in which the case is pending. Nevertheless, all German contact centres have equal status, which means that any of the 17 centres can be contacted for all types of enquiries and, in exceptional circumstances, the federal contact centre can also provide assistance relating to specific cases. This internal allocation of tasks ensures that the most suitable contact centre deals with the enquiry.

In addition to the contact centres, there are five liaison magistrates (*Verbindungsrichter*) in Germany working in the area covered by Regulation (EC) No 2201/2003 (Brussels IIA Regulation). Their duties are also allocated internally among states. External enquiries can be made to any of the five liaison magistrates. If necessary, the person making the enquiry will then immediately be directed to the most suitable magistrate based on the internal allocation of tasks, as well as on language skills, specific competencies and expertise relating to the specific case.

Pursuant to Article 2(1)(e) of Council Decision No 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters, as last amended by Decision No 568/2009/EC of the European Parliament and of the Council of 18 June 2009 amending Council Decision No 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters, Germany appointed the Federal Bar Association (*Bundesrechtsanwaltskammer*), the Federal Association of Notaries (*Bundesnotarkammer*), the Association of Patent Lawyers (*Patentanwaltskammer*), the German Lawyers' Association (*Deutscher Anwaltverein*), the Federation of German Bailiffs (*Deutscher Gerichtsvollzieher Bund e.V.*) and, in 2014, the Federation of German Judicial Officers (*Bund Deutscher Rechtspfleger*), as members of the EJM.

Other members of the EJM in Germany include the central bodies stipulated in Regulation (EC) No 1393/2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (Regulation on the service of documents), and Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (Regulation on the taking of evidence). These central bodies and the state judicial apparatus provide the courts with up-to-date information regarding civil legal aid. They also introduce additional measures and support the courts with the service of documents and the taking of evidence in cases with a foreign component.

Further information on the EJM in Germany and a list of contacts can be found on the website of the Federal Ministry of Justice (*Bundesamt für Justiz*) (<http://www.bundesjustizamt.de/ejnz>).

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