

 **Bundesministerium**
Justiz



 **Bundesministerium**
Arbeit, Familie und Jugend



Mag. Dr. Volkmar J. Ellmauthaler
Seefeldergasse 18 / 8
1220 Wien

English

A: General Agreement

This agreement applies between the spouses or legal partners named below as parties, as well as Mag. Dr. Volkmar J. Ellmauthaler as their expert consultant.

Partner (Spouse) A:

Academ. Degree, First name(s), Second (Family) name, Date of birth, Gender

Adress (Post code) Town,

Street, Str. Number, Apptmt. Nr.

E-Mail Address

Phone number

Case Number:

Partner (Spouse) B:

Academ. Degree, First name(s), Second (Family) name, Date of birth, Gender

Adress (Post code) Town,

Street, Str. Number, Apptmt. Nr.

E-Mail Address

Phone number

Both parties and their advisor agree to the following:

In accordance with § 95 (1a) of the Austrian Non-Disputes Act (Außerstreitgesetz), the meetings shall take place in order to pay special attention to the best interests of both parties' infant(s) during and after the separation of the spouses / partners signed below. This process is a special form of mediation. In most cases it shall be documented for a later use in the respective court. Costs incurred as part of this activity must be fully paid to the consultant. A (partial) reimbursement can then be submitted via the court, provided that successful participation has been confirmed and the balanced invoice is presented (both, form and invoice). The tariffs correspond to the respective published guide values, net plus 20% VAT.

The advice is agreed either on site or at the advice office under the conditions of confidentiality and abstinence rules. The peculiarity of the situation conclusively results in the fact that, as the expert's duty of confidentiality is upheld, still all documents and protocols can be made available to the court without restriction, and, in the event of a subpoena, the complete content may also be orally presented during the course of the proceedings.

Accordingly, the expert activity stays unaffected, neutral and *lege artis* to the best of knowledge and belief, and will be delivered in form of statements before court and / or in writing, as an expert opinion. A complete expert opinion is drawn up on the basis of submitted documents, personal meetings and expertise, and may be made available to each party and the court in print (one copy each, thermally bound) – or as a PDF file on request.

The parties do not request any form of influence with regard to the execution, content and wording, as is customary with private or court reports and comparable expert opinions. The court decides independently on the assessment of the expert opinion as evidence and / or orientation aid.

Vienna,

An das
Bezirksgericht

BESTÄTIGUNG

über die Teilnahme an einer Beratung über die spezifischen Bedürfnisse von minderjährigen Kindern im Zuge der Scheidung der Eltern (§ 95 Abs. 1a AußStrG)

Berater/in gemäß § 95 Abs. 1a AußStrG:

Institution:

(Bezeichnung der Institution, Anschrift)

Einzelpraxis:



(Anschrift)

Es wird bestätigt, dass

Frau

(Vorname, Familienname, Anschrift)

Herr

(Vorname, Familienname, Anschrift)

am _____ an einer Einzel-/ Paar-/ Gruppenberatung über die spezifischen, aus der Scheidung resultierenden Bedürfnisse ihrer/seiner minderjährigen Kinder im Ausmaß von _____ Stunden teilgenommen hat.

Die Beratungskosten von € _____ wurden beglichen.

Wien, am .

Name

Datum/Stempel