

99126014088002

# Parental custody order if the child's assets are at risk

Heruntergeladen am 08.06.2025

<https://fimportal.de/services/99126014088002>

Modul	Sachverhalt
Leistungsschlüssel	99126014088002
Leistungsbezeichnung I	Parental custody order if the child's assets are at risk
Leistungsbezeichnung II	Parental custody order in case of endangerment of the child's property
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baustein Leistungen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Vormundschaft (126)
Verrichtungskennung	Anordnung (088)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption,

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	Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.09.2020
Fachlich freigegeben durch	Senator for Justice and Constitution of the Free Hanseatic City of Bremen
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/famfg/BJNR258700008.html">https://www.gesetze-im-internet.de/famfg/BJNR258700008.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1666.html">https://www.gesetze-im-internet.de/bgb/_1666.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1667.html">https://www.gesetze-im-internet.de/bgb/_1667.html</a>
Teaser	If you become aware that a child's assets are at risk, particularly from their parents or one of their parents, report this to the family court at the local court.
Volltext	<p>The Family Court may make orders when a child's property is at risk and the custodial parents are unwilling or unable to avert the risk.</p> <p>The Family Court's order may include, for example, the following (list is not exhaustive):</p> <ul style="list-style-type: none"> <li>• Filing of an inventory of the child's assets by the parents</li> <li>• Accounting for the management of the assets</li> <li>• Withdrawal of the child's money only with the permission of the family court</li> <li>• Withdrawal of property custody (in whole or in part)</li> </ul> <p>If parts of the property custody are withdrawn, a guardian is appointed for the areas.</p>
Erforderliche Unterlagen	The family court decides in the exercise of the so-called Amtsermittlungsgrundsatz which documents are required.
Voraussetzungen	If a child's assets are at risk and the custodial parent or one parent is unwilling or unable to stop the risk, the

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	<p>family court can make orders. This is the case, for example, if money belonging to the child has been misappropriated.</p> <p>The proceedings can be initiated at the request of one of the parents (no special form is prescribed) or ex officio, in particular through reports by the youth welfare office or also reports from neighbours, educators or relatives.</p>
Kosten	<ul style="list-style-type: none"> <li>• Court fees</li> <li>• Attorney's fees, if applicable.</li> <li>• The family court shall decide on the bearing of costs in accordance with equitable Discretion.</li> </ul>
Verfahrensablauf	<p>The proceedings at the family court are initiated ex officio, in particular through notifications by the youth welfare office or also notifications by neighbours, guardians or relatives.</p> <ul style="list-style-type: none"> <li>• The family court investigates the facts of the case and can, for example, order the parents to submit a list of the child's assets and to give an account of their administration.</li> <li>• This inventory of assets must be correct and complete, and the parents must affirm this.</li> <li>• If the inventory is not correctly prepared, the family court may order that the inventory be taken by a competent authority or by a competent official or notary.</li> <li>• The Family Court's order may include, for example (list is not exhaustive): <ul style="list-style-type: none"> <li>• Withdrawal of the child's money only with the permission of the family court.</li> <li>• Withdrawal of property custody (in whole or in part)</li> <li>• If parts of the property custody are withdrawn, a guardian is appointed for the areas.</li> </ul> </li> </ul>
Bearbeitungsdauer	At least 3 months due to the prescribed procedure, possibly longer in more complex procedures.
Frist	None
weiterführende Informationen	<a href="https://www.bmfsfj.de/bmfsfj">https://www.bmfsfj.de/bmfsfj</a>

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Hinweise	
Rechtsbehelf	Complaint pursuant to §§ 58 et seq. FamFG against the family court decision within one month
Kurztext	<ul style="list-style-type: none"> <li>• Parental care order in case of endangerment of the child's property               <ul style="list-style-type: none"> <li>• Endangerment of a child's property, in particular by its parents or one of its parents</li> <li>• Parents with custody are not willing or able to avert this danger.</li> <li>• The family court order may include, for example, the following (list is not exhaustive):                   <ul style="list-style-type: none"> <li>• Filing of an inventory of the child's assets by the parents</li> <li>• Accounting for the management of the assets</li> <li>• Withdrawal of the child's money only with the permission of the family court</li> <li>• Withdrawal of property custody (in whole or in part)</li> <li>• If parts of the property custody are withdrawn, a guardian is appointed for the areas.</li> </ul> </li> <li>• responsible: Family court at the local court</li> </ul> </li> </ul>
Ansprechpunkt	At <a href="https://www.justizadressen.nrw.de/de/justiz/suche">https://www.justizadressen.nrw.de/de/justiz/suche</a> you will find the local courts responsible for you with further contact options and service times. <a href="https://www.justizadressen.nrw.de/de/justiz/suche">https://www.justizadressen.nrw.de/de/justiz/suche</a>
Zuständige Stelle	the local competent district court pursuant to § 152 FamFG
Formulare	none
Ursprungsportal	