

99013003025000, 99013003025000

Procedure for adoption as a child

Counselling and instruction

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/370240190/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99013003025000, 99013003025000
Leistungsbezeichnung I	Procedure for adoption as a child Counselling and instruction
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Adoption (013)
Verrichtungskennung	Beratung und Belehrung (025)
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	Adoption und Pflegekinder (1020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	07.05.2021
Fachlich freigegeben durch	Hessian Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1748.html https://www.gesetze-im-internet.de/sgb_8/_51.html https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002600000 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG016003377 https://www.gesetze-im-internet.de/bgb/_1748.html https://www.gesetze-im-internet.de/sgb_8/_51.html https://www.gesetze-im-internet.de/famfg/BJNR25870008.html#BJNR258700008BJNG002600000 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG016003377
Teaser	If parents want to give their child up for adoption, the consent of both parents is required. In exceptional cases, the family court may replace the consent of one of the parents. The responsible youth welfare office is obliged to advise and instruct the parents on the procedure.
Volltext	For the release for adoption of a child, the consent of the parents and the consent of the child is required. The consent of one of the parents is only not required if the residence cannot be located. If a parent persistently grossly violates his or her duties towards the child or is permanently incapacitated, the family court may replace the parent's consent. Even if a parent shows by his behavior that he is indifferent to the child, consent can be replaced. In this case, the Youth Welfare Office is obliged to inform the parent about the possibility of replacing consent. It must point out to him that the family court may only replace the consent after the expiry of three months

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	after the instruction. The instruction is not required if the parent has changed his place of residence without leaving his new address and the whereabouts could not be determined by the Youth Welfare Office for a period of three months despite appropriate investigations; in this case, the period begins with the first act of the Jugendamt aimed at informing or determining the whereabouts. The deadlines expire at the earliest five months after the birth of the child. The Youth Welfare Office should advise the parent with the instruction about help that could enable the upbringing of the child in their own family, provided that this does not cause lasting damage to the mental and physical well-being of the child.
Erforderliche Unterlagen	None
Voraussetzungen	The parent is unable to fulfil his or her parental duties.
Kosten	None
Verfahrensablauf	• The child or his/her legal representative applies to the family court for the replacement of the parent's consent. • Subsequently, or in advance, the adoption agency offers the counseling and carries out the instruction. • The family court decides with the participation of the parent whose consent is to be replaced and with the hearing of the Youth Welfare Office. whether consent is replaced.
Bearbeitungsdauer	Usually several months
Frist	• At the earliest 5 months after the birth of the child • In case of indifference: 3 months after instruction
weiterführende Informationen	
Hinweise	https://familienportal.de/familienportal/lebenslagen/kinderwunsch-adoption/adoption https://familienportal.de/familienportal/lebenslagen/kinderwunsch-adoption/adoption

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Rechtsbehelf	None
Kurztext	• Procedure for adoption as a child Counselling and instruction • Before the consent of a parent is replaced by the family court, counselling must have been offered and an instruction from the Youth Welfare Office must have been served. • The Youth Welfare Office must instruct about deadlines and advise on help with education. • A replacement is not required if the whereabouts of the parent cannot be located. • Responsible is the locally responsible adoption agency in the Youth Welfare Office
Ansprechpunkt	Please contact the adoption agency of the locally responsible youth welfare office.
Zuständige Stelle	
Formulare	• Forms: none • Online procedure possible: no • Written form required: no • Personal appearance required: no
Ursprungsportal	Procedure for adoption as a child Counselling and instruction, Verfahren zur Annahme als Kind Beratung und Belehrung