

99013007207000, 99013007207000

# Adoption - declaration of renunciation of parental custody by the father who is not married to the mother

Heruntergeladen am 21.06.2025

<https://fimportal.de/xzufi-services/389412858/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99013007207000, 99013007207000
Leistungsbezeichnung I	Adoption - declaration of renunciation of parental custody by the father who is not married to the mother
Leistungsbezeichnung II	
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Adoption (013)

Modul	Sachverhalt
Verrichtungskennung	Begleitung (207)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.08.2023
Fachlich freigegeben durch	Hessian Ministry for Social Affairs and Integration
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/bgb/_1747.html">https://www.gesetze-im-internet.de/bgb/_1747.html</a> <a href="https://www.gesetze-im-internet.de/sgb_8/_51.html">https://www.gesetze-im-internet.de/sgb_8/_51.html</a> <a href="https://www.gesetze-im-internet.de/sgb_8/_59.html">https://www.gesetze-im-internet.de/sgb_8/_59.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1592.html">https://www.gesetze-im-internet.de/bgb/_1592.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1594.html">https://www.gesetze-im-internet.de/bgb/_1594.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1600d.html">https://www.gesetze-im-internet.de/bgb/_1600d.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1626a.html">https://www.gesetze-im-internet.de/bgb/_1626a.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1748.html">https://www.gesetze-im-internet.de/bgb/_1748.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1750.html">https://www.gesetze-im-internet.de/bgb/_1750.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1747.html">https://www.gesetze-im-internet.de/bgb/_1747.html</a> <a href="https://www.gesetze-im-internet.de/sgb_8/_51.html">https://www.gesetze-im-internet.de/sgb_8/_51.html</a> <a href="https://www.gesetze-im-internet.de/sgb_8/_59.html">https://www.gesetze-im-internet.de/sgb_8/_59.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1592.html">https://www.gesetze-im-internet.de/bgb/_1592.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1594.html">https://www.gesetze-im-internet.de/bgb/_1594.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1600d.html">https://www.gesetze-im-internet.de/bgb/_1600d.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1626a.html">https://www.gesetze-im-internet.de/bgb/_1626a.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1748.html">https://www.gesetze-im-internet.de/bgb/_1748.html</a> <a href="https://www.gesetze-im-internet.de/bgb/_1750.html">https://www.gesetze-im-internet.de/bgb/_1750.html</a>
Teaser	In order for a child to be given up for adoption, both parents must give their consent. The father, who is not married to the mother and does not have custody of the child, can make this declaration before the child is born. Seek advice on this from the youth welfare office.
Volltext	If you are not married to the child's mother, you can only obtain parental custody of the child by submitting a joint declaration of custody to a notary or the youth welfare office. This is a separate declaration which can

## Modul

## Sachverhalt

be made in addition to acknowledging paternity.

If you wish to give your child up for adoption and are not married to the mother, you can actively refrain from filing an application for the transfer of parental custody. You can make this declaration of renunciation before the birth. The declaration must be publicly notarized by a notary or (free of charge) by the youth welfare office. The declaration of relinquishment becomes effective upon receipt by the family court and is irrevocable.

If you do not agree to the adoption, you can apply for parental custody to be transferred to you).

For the adoption of your child, your consent to the adoption is generally required - irrespective of a declaration of renunciation of custody. As a non-custodial father, you can give this consent before the birth of your child. This consent can only be notarized. Consent to adoption cannot be given at a youth welfare office.

After submitting a declaration of renunciation of custody, your consent to the adoption can be replaced by the family court under simplified conditions. As a rule, it is then no longer a question of any misconduct on your part.

Both when notarizing the consent to an adoption and when notarizing the declaration of relinquishment, you will be informed and advised about the legal consequences and effects of the notarization prior to the notarization.

## Erforderliche Unterlagen

### Voraussetzungen

The child's mother is not married to you or a third party and you are the natural father of the child. You have either acknowledged paternity, it has been established by a court or you declare that you had sexual intercourse with the child's mother during the time of conception and that there is no doubt about paternity.

Modul	Sachverhalt
	You agree to your child being given up for adoption.
Kosten	<p>If the declaration of renunciation is notarized at the youth welfare office, no costs are incurred.</p> <p>If it is notarized by a notary, the statutory fees are charged in accordance with the applicable Court and Notary Fees Act. These can be obtained from the notary.</p>
Verfahrensablauf	<p>Seek advice from a youth welfare office of your choice on how to exercise your rights regarding the possible adoption of your child. You are not tied to a specific youth welfare office. Within the youth welfare office, the adoption agencies are responsible for this advice. Once you have received instruction and advice, the declaration of relinquishment can be notarized by a notary of the youth welfare office. The notarized declaration is then forwarded to the family court. The declaration becomes effective upon receipt by the family court.</p>
Bearbeitungsdauer	
Frist	The custody waiver is not subject to any time limits.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<p>The waiver becomes effective upon receipt by the family court and is irrevocable. An (informal) revocation of the declaration must therefore be received by the family court before or at the same time as the declaration of waiver.</p>
Kurztext	<ul style="list-style-type: none"> <li>• Advice for the father on consenting to the adoption of a child</li> <li>• The consent of both parents is required for adoption.</li> <li>• If the parents are not married to each other, the non-custodial father of the child (or the man who can credibly claim to be the child's father) can give his consent before the child is born.</li> <li>• The father can also make a declaration waiving parental custody of the child.</li> </ul>

Modul	Sachverhalt
	<ul style="list-style-type: none"> <li>• Counseling required</li> <li>• Responsible: Adoption agencies of the youth welfare offices</li> </ul>
Ansprechpunkt	<p>The youth welfare office or a notary can notarize the declaration of renunciation regarding the transfer of parental custody.</p> <p>Consent to adoption can only be notarized by a notary.</p>
Zuständige Stelle	
Formulare	
Ursprungsportal	<p>Adoption - Verzichtserklärung des nicht mit der Mutter verheirateten Vaters betreffend die elterliche Sorge, Adoption - declaration of renunciation of parental custody by the father who is not married to the mother</p>