

99013005026000

Arrange custody of minor children of parents who are not married to each other (make a declaration of custody)

Heruntergeladen am 06.07.2025

<https://fimportal.de/xzufi-services/6000992-99013005026000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99013005026000
Leistungsbezeichnung I	Arrange custody of minor children of parents who are not married to each other (make a declaration of custody)
Leistungsbezeichnung II	Arrange custody of minor children of parents who are not married to each other (make a declaration of custody)
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	

Modul	Sachverhalt
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • §§ 1626a folgend Bürgerliches Gesetzbuch (BGB) – Elterliche Sorge nicht miteinander verheirateter Eltern; Sorgeerklärungen • § 59 Absatz 1 Nummer 8 Sozialgesetzbuch, Achtes Buch (SGB VIII) – Beurkundung und Beglaubigung • Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (Gerichts- und Notarkostengesetz – GNotKG), Anlage 1 (zu § 3 Absatz 2) Kostenverzeichnis, Nummer 21100 folgend Notargebühren
Teaser	If you as parents are not married to each other at the birth of a child, you are jointly entitled to parental care,
Volltext	<p>Declarations of custody by parents who are not married to each other pursuant to §§ 1626a et seq. of the Bürgerliches Gesetzbuch (BGB)</p> <p>If you as parents are not married to each other at the birth of a child, you are jointly entitled to parental care,</p> <ul style="list-style-type: none"> • if they declare that they want to take over custody jointly (so-called declarations of custody), • if they marry each other, or • if the family court confers joint parental custody on them. <p>Otherwise, the mother has parental care.</p> <p>A declaration of custody must be publicly notarised. This can be arranged at any youth welfare office or for</p>

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a fee at a notary's office. In the event of a dispute, only the family court can revoke a declaration of custody. It is therefore advisable to seek advice on the rights and obligations arising from the declaration of custody.

Tip: If you have not already done so, you can also declare paternity together with joint custody before the youth welfare office.

Erforderliche Unterlagen

- Birth certificate of the child or maternity record in the case of prenatal declaration of custody
- Acknowledgement of paternity or court order establishing paternity
- Identity card or passport

Voraussetzungen

- Paternity must be legally recognised.
- The parents are not married to each other.
- The mother has had sole custody until now (if the declaration of custody is only made after the birth).
- The parents are of age or their legal representatives consent to the declaration of custody.

Kosten

- at the youth welfare office: free of charge
- at the notary: subject to a fee

Verfahrensablauf

Before making a declaration of custody, have the rights and obligations explained to you - for example, by the youth welfare office or the notary who notarised the declaration.

- If this has not yet been done, the father must acknowledge paternity.
- Both of them must appear in person at the Youth Welfare Office or the notary's office for the certification.
- The notary or the employee of the Youth Welfare Office will check your documents and certify the declaration of custody to be made by both parents.

Bearbeitungsdauer
Frist

To avoid legal problems, it is advisable to declare acknowledgement of paternity and joint custody before or immediately after the birth of the child. Note: The declaration of custody cannot be limited in time. It is therefore valid until the child reaches the age of

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	majority.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	non applicable
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	