

99133001026000

Recognition of paternity, notarisation by the local court

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<https://fimportal.de/xzufi-services/6001142/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99133001026000
Leistungsbezeichnung I	Recognition of paternity, notarisation by the local court
Leistungsbezeichnung II	Recognition of paternity, notarisation by the local court
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	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> • § 1592 [Bürgerliches Gesetzbuch (BGB)](https://www.gesetze-im-internet.de/bgb/) – Vaterschaft <ul style="list-style-type: none"> • §§ 1594 bis 1598, 1599 Abs. 2 BGB – Anerkennung der Vaterschaft • § 44 [Personenstandsgesetz (PStG)](http://www.gesetze-im-internet.de/pstg/index.html) – Erklärung zur Anerkennung der Vaterschaft und der Mutterschaft • § 59 [Sozialgesetzbuch - Achtes Buch (SGB VIII)](http://www.gesetze-im-internet.de/sgb_8/index.html) – Beurkundung und Beglaubigung • § 67 [Beurkundungsgesetz (BeurKG)](https://amt24.sachsen.de/fehler-link-nicht-gefunden) – Zuständigkeit der Amtsgerichte • [Gesetz über Kosten der freiwilligen Gerichtsbarkeit für Gerichte und Notare (Gerichts- und Notarkostengesetz – GNotKG)](http://www.gesetze-im-internet.de/gnotkg/anlage_1.html), Anlage 1 (zu § 3 Abs. 2) Kostenverzeichnis • [Sächsisches Kostenverzeichnis](https://revosax.sachsen.de/vorschrift/12126)[(SächsKVZ),](https://revosax.sachsen.de/vorschrift/12126) Lfd. Nr. 75 Tarifstelle 6.5 – Personenstandsrecht
Teaser	<p>As the father of a child born out of wedlock, you have the option of officially recognising paternity. This is of great importance for the child, as it is only through this that it acquires maintenance, inheritance and pension entitlements. Recognition of paternity must therefore be officially notarised.</p>
Volltext	<p>#### Recognition of paternity according to §§ 1594 ff. German Civil Code (BGB)</p> <p>As the father of a child born out of wedlock, you have the option of officially recognising paternity. This is of</p>

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great importance for the child, as it is only through this that it acquires maintenance, inheritance and pension entitlements. Recognition of paternity must therefore be officially notarised.

As long as the (legal) paternity of another man exists, the acknowledgement of paternity is not effective.

Contact point

The acknowledgement of paternity can also be notarised by the local registry office, a notary public or the local youth welfare office - alone at the youth welfare office or the notary public, if necessary also together with the declaration of custody.

Erforderliche Unterlagen

For the father's declaration of recognition:

- Identity card or passport and your own birth certificate
- before the birth: proof of the child's expected date of birth (e.g. maternity passport)
- after the birth: the child's birth certificate

For the mother's declaration of consent:

- Identity card or passport
- in the case of a separate declaration: certified copy of the father's declaration of recognition
- before the birth: proof of the expected date of birth of the child (e.g. maternity passport)
- after the birth: birth certificate of the child

For further declarations of consent (e.g. legal representative of underage parents):

- Identity card or passport
- notarised copy of the declaration to which consent is given

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- possibly proof of status as legal representative

Note: Further documents may be required in individual cases. Please enquire about this at the relevant office.

Voraussetzungen

- The child
 - has no legal father or
 - is born after a divorce petition is pending and the acknowledgement of paternity is declared within one year of the divorce becoming final (so-called divorce-dependent acknowledgement of paternity).
- For the acknowledgement of paternity to be effective: the publicly notarised declarations
 - of the man recognising paternity,
 - the child's mother,
 - if applicable, the man who was still married to the child's mother at the time of the birth (in the case of an acknowledgement of paternity based on divorce),
 - if applicable, the legal representatives of underage parents (e.g. their parents or guardians).

****Note:**** If the mother is not entitled to parental custody (for example, because the child is already of legal age or she has been deprived of custody of the minor child), the child itself must also give its consent - in the case of children under the age of 14, their legal representatives (e.g. guardian or supplementary carer).

Kosten

- for declaration before the notary or the local court: expenses (depending on costs)
 - for declaration before the registry office: EUR 30.00
 - for declaration before the youth welfare office: none

Verfahrensablauf

- You, the child's mother, her husband (if applicable) and the legal representatives (if applicable) visit one of the competent authorities together or individually.
 - The notary will accept your declarations and notarise them. You will receive a copy of the document as proof.

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****Tip:**** You can also make a declaration of custody at the local youth welfare office or notary at the same time.

- The responsible office will send certified copies to the registry office at the child's place of birth. If all declarations have been submitted, the declaration of paternity is effective and the registry office will issue a new birth certificate for the child.

Recognition of paternity before the birth

Recognition of paternity and the necessary consent can be declared before the child is born. The father's name is then entered on the birth certificate from the outset.

Bearbeitungsdauer

Frist

Declaration of acknowledgement of paternity • generally possible at any time, even before the birth of the child • in the case of divorce-dependent acknowledgement of paternity, no later than one year after the divorce becomes final #### Revocation up to one year after the acknowledgement of paternity has been notarised if the acknowledgement of paternity has not yet taken effect (example: lack of consent from the mother) ****Note:**** Legal consequences of the acknowledgement (e.g. maintenance claims, nationality of the child) can only be asserted if the acknowledgement is effective, i.e. all necessary declarations of consent have been notarised.

weiterführende Informationen

Hinweise

Rechtsbehelf

non applicable

Kurztext

Ansprechpunkt

Modul	Sachverhalt
Zuständige Stelle	
Formulare	
Ursprungsportal	