

99126006061000

# Appoint official guardianship of the Youth Welfare Office

Heruntergeladen am 07.07.2025

<https://fimportal.de/xzufi-services/6001775-99126006061000/L100009>

| Modul                     | Sachverhalt   |
|---------------------------|---|
| Leistungsschlüssel        | 99126006061000  |
| Leistungsbezeichnung I    | Appoint official guardianship of the Youth Welfare Office |
| Leistungsbezeichnung II   | Appoint official guardianship of the Youth Welfare Office |
| 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       |   |

| Modul                         | Sachverhalt   |
|-------------------------------|---|
| Einheitlicher Ansprechpartner |   |
| Fachlich freigegeben am       |   |
| Fachlich freigegeben durch    |   |
| Handlungsgrundlage            | <ul style="list-style-type: none"> <li>• § 1791b Bürgerliches Gesetzbuch (BGB) – Bestellte Amtsvormundschaft des Jugendamts</li> <li>• § 1791c BGB – Gesetzliche Amtsvormundschaft des Jugendamts</li> <li>• §§ 54, 55 und 56 Sozialgesetzbuch Achtes Buch (SGB VIII) – Beistandschaft, Pflegschaft und Vormundschaft für Kinder und Jugendliche</li> <li>• §§ 87c SGB VIII – örtliche Zuständigkeit</li> </ul>   |
| Teaser                        | <p>If parents are unable to exercise personal and property care for their child or are prevented from doing so for legal reasons, another person must assume legal representation of the minor child (ward) as guardian. In the event of legal obstacles, guardianship comes into effect by operation of law.</p>   |
| Volltext                      | <p>If parents are unable to exercise personal and property care for their child or are prevented from doing so for legal reasons, another person must assume legal representation of the minor child (ward) as guardian. In the event of legal obstacles, guardianship comes into effect by operation of law.</p> <p>Legal guardianship</p> <p>Reasons for preventing persons other than the parents from assuming guardianship include, for example if the mother of a child is still a minor herself, or if the natural parents have effectively consented to the adoption of their child. The legal guardianship ends</p> <ul style="list-style-type: none"> <li>• when the mother comes of age,</li> <li>• by joint declaration of custody by the minor mother and the adult father, or</li> <li>• by marriage of the minor mother to the father of full age.</li> </ul> <p>Adoption guardianship ends when the adoption is</p> |

## Modul

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pronounced.

### Appointed guardianship

In all other cases, the court must appoint a guardian. This is done by court order. The guardianship ends at the latest when the ward reaches the age of majority.

### Priority of individual guardianship

In principle, an individual guardian should be given legal representation for a minor child. The youth welfare office is to support the court in this and suggest suitable persons. As a rule, these are relatives or persons from the child's close environment.

### Official/association guardianship

If no suitable person can be found, the court must appoint an association or the youth welfare office as guardian. The youth welfare office cannot refuse to act as guardian. If a guardianship exists by law, the youth welfare office automatically becomes the guardian.

Since guardianship is usually tied to a natural person, the youth welfare office assigns the performance of these duties to individual members of its staff. The same applies to an association. In their legal position as official or association guardians, the employees act independently and are only subject to the supervision of their employer to a limited extent. They are not allowed to manage more than 50 guardianships each.

### Tasks of guardianship

A person who assumes guardianship must know the ward personally and should usually visit him or her once a month in his or her familiar surroundings. Guardians have to deal with all legal matters of personal and property care for the ward. If the child lives with the mother who is a minor, she is entitled to personal care in addition to the legal representative. In contrast, she is not entitled to legal representation.

Guardians do not have to take their ward into their

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|------------------------------|---|
|                              | <p>household personally. They can apply for help with upbringing at the youth welfare office. The child is then placed in a youth welfare institution or in a foster family.</p> <p>Once a year, guardians must report to the court on the conduct of the guardianship and submit a list of assets. The person entrusted with the official guardianship should regularly check whether the legal representation of the child can be taken over in individual guardianship. In these cases, the youth welfare office shall apply for his or her release from the guardianship.</p> |
| Erforderliche Unterlagen     | <ul style="list-style-type: none"> <li>• Notification of the child's birth</li> <li>• Decision of the family court</li> </ul>   |
| Voraussetzungen              | <ul style="list-style-type: none"> <li>• for the appointed official guardianship: order of the family court</li> <li>• for the legal guardianship: the mother is a minor the parents are not married to each other and a guardian has not already been appointed before the birth.</li> </ul>   |
| Kosten                       | none  |
| Verfahrensablauf             | <p>For children of underage, unmarried mothers, the Youth Welfare Office (Jugendamt) generally receives guardianship by law at birth. For wards who do not have an individual guardian, one is appointed ex officio by the family court.</p> <p>The local court (Amtsgericht) provides the youth welfare office with a certificate of guardianship.</p>   |
| Bearbeitungsdauer            | without delay   |
| Frist                        | Duration of the official guardianship: until it is terminated by the court, at the longest until the child/mother reaches the age of majority   |
| weiterführende Informationen |   |
| Hinweise                     |   |
| Rechtsbehelf                 |   |

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|-------------------|-------------|
| Kurztext          |             |
| Ansprechpunkt     |             |
| Zuständige Stelle |             |
| Formulare         |             |
| Ursprungsportal   |             |