

99046025002000

Apply for child maintenance (minor children)

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/787-99046025002000/L100022>

Modul	Sachverhalt
Leistungsschlüssel	99046025002000
Leistungsbezeichnung I	Apply for child maintenance (minor children)
Leistungsbezeichnung II	Apply for child maintenance (minor children)
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baden-Württemberg
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	<p>Bürgerliches Gesetzbuch (BGB):</p> <ul style="list-style-type: none"> • §§ 1601 - 1615 Unterhaltspflicht <p>Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit (FamFG):</p> <ul style="list-style-type: none"> • §§ 231 ff. Verfahren in Unterhaltssachen
Teaser	Do you have underage children?
Volltext	<p>Do you have underage children?</p> <p>In the event of separation or divorce, you as parents should agree on the maintenance claims of your children.</p> <p>Please note: The legislator does not stipulate fixed rates. The law only the standard for the minimum maintenance. This is based is based on the minimum subsistence level of the minor child. The Düsseldorf table and the maintenance guidelines of the competent higher regional courts provide further Guidelines ("Süddeutsche Leitlinien"). The amount of maintenance depends, among other things, on the age of the child and the financial capacity of the parent liable for maintenance.</p> <p>If you as parents have reached an agreement, the parent liable for maintenance can voluntarily submit an enforceable payment obligation. This is notarised by the youth welfare office, the local court or a notary. If no agreement is reached, the parent who is responsible for maintenance can assert the maintenance claim in court.</p> <p>Tip: You can obtain expert advice on all child maintenance issues from the youth welfare office in</p>

Modul

Sachverhalt

your town or district. As a caring parent, you can Sy caring parent can also apply there for a guardianship for your child to assert their maintenance claims. The guardianship does not restrict your parental care. You should always seek advice from a lawyer before asserting your claims in court.

Erforderliche Unterlagen

Proof of income and assets

Voraussetzungen

You are the custodial parent with whom the minor child lives or the person or body legally representing the child.

Kosten

Depending on the amount in dispute, which is determined by the court, court and lawyer's fees are incurred.

Verfahrensablauf

Your lawyer will submit the application for payment of child maintenance to the competent authority. In urgent cases, it is also possible to apply for an interim order. The competent authority is

- the local court in whose district the child usually resides or
- the family court dealing with the ongoing divorce proceedings.

Note: The application is filed either in the child's own name or in the name of the child as its legal representative.

The court sends the application to the other parent. This parent is given the opportunity to comment.

Note: However, up to the limit of the minimum maintenance, a minor child does not have to prove his or her need or the ability of the debtor to pay maintenance.

The family court sets a maintenance amount based on the parents' income and the age of the child. This is done by means of an order. The parent entitled to maintenance receives an enforcement order as a result of this order.

Bearbeitungsdauer

Modul	Sachverhalt
Frist	Please seek legal advice in individual cases.
weiterführende Informationen	
Hinweise	If the circumstances that led to an enforcement order in previous maintenance proceedings change, you can request a modification of the maintenance order and, if necessary, enforce it in court.
Rechtsbehelf	Please seek legal advice in individual cases.
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	