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Parental care - order in case of endangerment of the child's welfare

Heruntergeladen am 08.06.2025

<https://fimportal.de/xzufi-services/108263937/L100027>

Modul	Sachverhalt
Leistungsschlüssel	99126014088001, 99126014088001
Leistungsbezeichnung I	Parental care - order in case of endangerment of the child's welfare
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Mecklenburg-Vorpommern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Vormundschaft (126)
Verrichtungskennung	Anordnung (088)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche

Modul	Sachverhalt
	Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltungspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.08.2018
Fachlich freigegeben durch	Ministry for Social Affairs, Integration and Equality Mecklenburg-Western Pomerania
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1666.html https://www.gesetze-im-internet.de/famfg/BJNR25870008.html https://www.gesetze-im-internet.de/bgb/_1666.html https://www.gesetze-im-internet.de/famfg/BJNR25870008.html
Teaser	
Volltext	If the physical, emotional or mental well-being of a child is at risk and the parents with custody are not willing or able to put a stop to this risk to the child's well-being, custody rights can be intervened in. This always requires a family court decision. In the event of intervention in custody, only those areas of parental custody may be withdrawn whose withdrawal is necessary for a development conducive to the welfare of the child. If parts of custody are withdrawn, a guardian is appointed for the areas. If custody is withdrawn in its entirety, the child is assigned a guardian.
Erforderliche Unterlagen	
Voraussetzungen	• Application of one parent • Notification of the Youth Welfare Office, reports from neighbors, educators or relatives on indications that justify the withdrawal of custody even without a petition or suggest the transfer of custody to one parent from the point of view of the child's welfare

Modul	Sachverhalt
Kosten	• Court fees • If applicable: Attorney's fees The fees are determined according to the value of the proceedings as determined by the court.
Verfahrensablauf	Often, one parent applies for sole custody of the offspring and thus applies to the family court (no special form is required), because in principle, parental custody is of course the responsibility of both parents. In other cases, the proceedings are initiated ex officio, in particular through notifications by the Youth Welfare Office. Throughout the custody proceedings, the parents are closely monitored and the family court obtains a comprehensive overview of the child's family situation, also involving experts and expert opinions as required. As a rule, the family court influences the parties involved so that the parents come to an out-of-court agreement and work out a solution together (also with the youth welfare office) for the benefit of the child. However, if the child's healthy development is at risk and there is a suspicion that the child's well-being is at risk, quick decisions must be made in custody proceedings (summary proceedings, for example, to hand over the child and exclude access), which often do not allow a joint solution. As a rule, the court appoints a so-called guardian ad litem. This ensures that the needs of the child are safeguarded during the proceedings and that the child does not become a mere object of the parents.
Bearbeitungsdauer	
Frist	
weiterführende Informationen	

Modul	Sachverhalt
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	Family court at the local court
Formulare	
Ursprungsportal	Elterliche Sorge - Anordnung bei Gefährdung des Kindeswohls, Parental care - order in case of endangerment of the child's welfare