

99069003156000, 99069003156000

Child welfare endangerment

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/785483/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99069003156000, 99069003156000
Leistungsbezeichnung I	Child welfare endangerment
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Jugendschutz (069)
Verrichtungskennung	Klärung (156)
SDG-Informationsbereich	
Lagen Portalverbund	Kinderbetreuung (1020200), Verbraucherschutz (2140100)
Einheitlicher Ansprechpartner	Nein

Modul

Sachverhalt

Fachlich freigegeben am

Fachlich freigegeben durch

Handlungsgrundlage

- Article 6 (2) of the Basic Law (GG) (parental responsibility, state guardianship)
- §Section 1631 (2) of the German Civil Code (BGB) (right to non-violent upbringing)
- § Section1666 of the German Civil Code (BGB) (risk to the welfare of children)
- §Section 8a of the Social Code (SGB) - Book Eight (VIII) - Child and Youth W elfare (SGB VIII; duty to protect children at risk of harm)
- §§ 27 to 35 SGB VIII (help for upbringing)
- § 42 S GB VIII (taking into care)

Teaser

You can contact the Youth Welfare Office with questions or reports on the subject of child welfare endangerment.

Volltext

Child welfare includes the entire well-being of a child or adolescent (= minor) as well as his or her healthy development. A risk to the child's well-being exists if a present or at least imminent danger to the child's development is foreseeable which, if it continues, will almost certainly result in considerable damage to the child's physical, mental or psychological well-being. The law lists the following as criteria for endangering the welfare of a child

- The abusive exercise of parental care,
- neglect of the child,
- the behavior of a third party,
- the incapacity of the parents, and
- the prognosis for the future.

If the limits set by the best interests of the child to the parental rights have not yet been exceeded, but if it is determined that a maldevelopment or a development of the minor into an independent and socially competent personality that is not appropriate to the age of the child has occurred or is imminent, and if the parents are not in a position to create appropriate conditions for achieving this educational goal on their own, the Youth Welfare Office must offer the parents

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appropriate and necessary help with education that corresponds to the educational needs in the individual case. If an upbringing that is in the best interests of the minor is not guaranteed, the parents have a right to educational assistance.

In addition, educational assistance is to be granted if the limits set to parental rights by the best interests of the child are exceeded, i.e. there is a risk to the best interests of the child, but the parents are willing and able to avail themselves of assistance and the youth welfare office considers the granting of this assistance to be suitable and necessary to avert the risk.

If there is a risk to the child's well-being and the parents are not willing or able to cooperate in averting the risk and to take advantage of the necessary educational or other assistance, the youth welfare office must appeal to the family court. This court opens up access to help for the endangered minor by means of a custody decision, so that the youth welfare office is able to intervene in accordance with child and youth welfare law to establish or restore an upbringing that promotes the welfare of the child. Without this court decision, the youth welfare office may not, in principle, intervene against the will of the parents.

The only exception is if a child or adolescent requests custody or if there is an urgent risk to the child's welfare and the decision of the family court cannot be awaited. In this case, the youth welfare office is obliged to take custody of the minor.

Erforderliche Unterlagen

Voraussetzungen

Kosten

Verfahrensablauf

Bearbeitungsdauer

Frist

weiterführende

Modul	Sachverhalt
Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	For questions, clarification of matters, notifications or the like, please contact the locally responsible youth welfare office of the district or independent city.
Ansprechpunkt	Contact the local youth welfare office of the district or independent city.
Zuständige Stelle	
Formulare	
Ursprungsportal	Child welfare endangerment, Kindeswohlgefährdung