

99046071061000, 99046071061000

Applying for the appointment of a guardian

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/206404689/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046071061000, 99046071061000
Leistungsbezeichnung I	Applying for the appointment of a guardian
Leistungsbezeichnung II	
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Bestellung (061)
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	17.05.2018
Fachlich freigegeben durch	JM
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1896.html https://www.gesetze-im-internet.de/bgb/_1901.html https://www.gesetze-im-internet.de/bgb/_1902.html https://www.gesetze-im-internet.de/bgb/_1896.html https://www.gesetze-im-internet.de/bgb/_1901.html https://www.gesetze-im-internet.de/bgb/_1902.html
Teaser	
Volltext	A guardian is only appointed if this is necessary because a person is no longer able to manage all or part of their affairs. Caregivers may only be appointed for those areas of responsibility in which care is actually required. Areas that the person concerned can manage independently may not be assigned to the guardians. What the person being cared for can still do themselves and what they need a legal representative for is determined in court proceedings. The guardian represents the person being cared for in and out of court in their area of responsibility.
Erforderliche Unterlagen	
Voraussetzungen	• Guardianship includes the handling of all matters determined by the court for the person under guardianship • The execution must be in the best interests of the person being cared for and also includes the possibility for the person being cared for to organize their own life within the scope of their abilities. • The guardian must comply with the wishes insofar as this is not contrary to the best interests of the person being cared for and is reasonable for the guardian. This also applies to wishes expressed by the person being cared for prior to the appointment of the caregiver. • Within the scope of his or her duties, the guardian shall promote the elimination of the illness or disability, its improvement or the prevention of a

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	worsening. In the case of professional care, the caregiver draws up a care plan at the beginning of the care by order of the court, which sets out the goals of the care and the measures to be taken. • If the guardian becomes aware of circumstances or possibilities for restricting the scope of duties that would allow the guardianship to be terminated, he or she must inform the guardianship court of this.
Kosten	The court charges the person concerned fees based on the value of their net assets.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	https://www.bmjb.de/SharedDocs/Publikationen/DE/Betreuungsrecht.pdf?__blob=publicationFile https://www.bmjb.de/SharedDocs/Publikationen/DE/Betreuungsrecht.pdf?__blob=publicationFile
Rechtsbehelf	
Kurztext	Legal guardianship is appointed if the person concerned is unable to manage their own affairs.
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Antrag auf Bestellung eines Betreuers stellen, Applying for the appointment of a guardian