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Parental custody order if the child's welfare is at risk

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<https://fimportal.de/xzufi-services/208731111/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99126014088001, 99126014088001
Leistungsbezeichnung I	Parental custody order if the child's welfare is at risk
Leistungsbezeichnung II	Parental custody order if the child's welfare is at risk
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Vormundschaft (126)
Verrichtungskennung	Anordnung (088)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei

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	grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1666.html https://www.gesetze-im-internet.de/famfg/BJNR258700008.html https://www.gesetze-im-internet.de/bgb/_1666.html https://www.gesetze-im-internet.de/famfg/BJNR258700008.html
Teaser	
Volltext	If the physical, emotional or mental well-being of a child is at risk and the custodial parents are not willing or able to stop this risk to the child's well-being, custody can be intervened in. This always requires a family court decision. In the event of an intervention in custody, only those areas of parental custody may be withdrawn that are necessary for the development of the child's welfare. If parts of custody are withdrawn, a guardian is appointed for these areas. If custody is withdrawn altogether, the child is assigned a guardian.
Erforderliche Unterlagen	
Voraussetzungen	For an intervention in custody, either an application by a parent is necessary or a report from the youth welfare office, reports from neighbors, educators or relatives on indications that justify the withdrawal of custody even without an application or suggest the transfer of custody to a parent under the aspect of the child's welfare.
Kosten	Court fees and, if applicable, lawyer's fees are incurred. The fees are determined by the value of the

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	proceedings set 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), as parental custody is of course the responsibility of both parents. In other cases, the proceedings are initiated by the authorities, in particular 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 reach 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 healthy development of the child is at risk and there is a suspicion that the child's welfare is at risk, quick decisions must be made in custody proceedings (summary proceedings, e.g. to hand over the child and exclude access), which often do not allow for a joint solution. The court usually appoints a so-called guardian ad litem. This ensures that the child's needs are safeguarded during the proceedings and that the child does not become a mere object of the parents.
Bearbeitungsdauer	
Frist	
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	Please contact the family court at the local court.

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Zuständige Stelle	
Formulare	
Ursprungsportal	Elterliche Sorge Anordnung bei Gefährdung des Kindeswohls, Parental custody order if the child's welfare is at risk