

99072005176000

Check and pursue maintenance claims against a person living abroad.

Heruntergeladen am 10.07.2025

<https://fimportal.de/xzufi-services/233367176/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99072005176000
Leistungsbezeichnung I	Check and pursue maintenance claims against a person living abroad.
Leistungsbezeichnung II	Check and pursue maintenance claims against a person living abroad.
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	Kindesunterhalt (072)
Verrichtungskennung	Verfolgung (176)

Modul	Sachverhalt
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.09.2020
Fachlich freigegeben durch	The Senator for Social Affairs, Youth, Women, Integration and Sport
Handlungsgrundlage	https://www.gesetze-im-internet.de/aug_2011/ https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/HUUE2007/HUUE2007/HUUE2007_node.htm https://www.gesetze-im-internet.de/aug_2011/ https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/HUUE2007/HUUE2007/HUUE2007_node.htm
Teaser	If the other parent lives abroad and does not pay maintenance, you can obtain support from the guardianship office and the local court.
Volltext	<p>If the parent liable for maintenance lives abroad, maintenance must be claimed abroad.</p> <p>Claiming maintenance from a person living abroad is associated with various problems, including the need to clarify how the income situation and living costs there affect the amount of maintenance. Furthermore, German courts abroad have no authority to issue instructions.</p> <p>There are international agreements that are intended to simplify international maintenance matters. Central authorities are responsible in almost all countries. In Germany, this is the Federal Office of Justice. However, applications are made via the local court responsible for the applicant's place of residence at the seat of a higher regional court. The local court will provide</p>

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information and advice on the options for recovering maintenance abroad and the documents required for this. Once the application has been submitted in full to the local court, it is forwarded to the Federal Office of Justice following an examination. The Federal Office of Justice acts as the central authority under the AUG. It corresponds with the competent authorities abroad throughout the entire procedure.

The application is made using a form which you receive from the local court and to which all the necessary documents are attached from which your entitlement to maintenance can be derived. For child maintenance, you will need your child's birth certificate and an enforceable copy of the maintenance order. The local court will then forward your request to the Federal Office of Justice. From there, the application for the enforcement of maintenance is sent to the respective central authority of the foreign state.

In general, however, you can contact the guardianship office and ask them to enforce the maintenance against the parent living abroad. According to § 1712 Para. 1 No. 2 of the German Civil Code (BGB), the assertion of maintenance claims is one of the tasks of the youth welfare office as a guardian. The guardian acts as the legal representative of the child entitled to maintenance and is therefore authorized to complete the application forms provided for in the context of cross-border maintenance realization and submit them to the preliminary review court. The youth welfare office can also take action if it has paid advance maintenance payments and wishes to take recourse against the maintenance debtor abroad.

Erforderliche Unterlagen

- Identity card of the applicant
- Birth certificate of the child
- All documents proving the maintenance obligation of the person living abroad

Voraussetzungen

- The parent liable for maintenance is abroad.
- The application can be made by the parent who is entitled to parental custody. If both parents are entitled to parental custody, the parent who has custody of the child can apply for guardianship.

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	<ul style="list-style-type: none"> • The application can also be made before the child is born. • The child must be a minor. • The forms of the local court must be used.
Kosten	<p>The Federal Office of Justice and the foreign receiving and transmitting agencies/central authorities generally work free of charge for applicants.</p> <p>Costs may be incurred for the translation of documents, but there are no costs for government agencies.</p>
Verfahrensablauf	<p>Make an appointment with the Office for Social Services - Youth Welfare Office -, Specialist Service for Guardianship / Maintenance for Minors.</p> <ul style="list-style-type: none"> • Initially, a guardianship can be set up. For this purpose, an appointment will be made with the guardianship office in your area. • The staff will then invite the applicant to an interview. • Bring along all documents that may be available in the maintenance matter (debt titles, correspondence from a lawyer, etc.). • Contact the local court to obtain the forms with which you can apply to enforce the maintenance obligation of the person living abroad. • The local court will then contact the Federal Office of Justice, which is the central office for foreign maintenance matters in Germany. • The Federal Office of Justice then contacts the central office of the foreign country in which the person liable to pay maintenance resides.
Bearbeitungsdauer	<ul style="list-style-type: none"> • No general information can be given on the processing time. It depends on the course of proceedings in the respective countries, including any necessary court proceedings. There is no uniformity here; in addition, special features may arise in individual cases. • A longer processing time is to be expected in particular if the foreign office has to carry out all investigations into the residence and then conduct court proceedings to enforce maintenance. • Applicants can contribute to speedy processing by submitting complete application documents.

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	Nevertheless, the processing time depends on the individual case and also on the cooperation of the person liable to pay maintenance.
Frist	The child must still be a minor.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	The guardianship office and the local court only act in a supportive and mediating capacity when pursuing maintenance claims against a person living abroad, which is why no legal remedies can be lodged.
Kurztext	<p>The guardianship helps you if the other parent does not pay / does not want to pay maintenance. Maintenance claims can be established and notarized.</p> <p>If the parent liable for maintenance lives abroad, maintenance must be claimed abroad.</p> <p>In addition to the guardianship service, there is a central office for this purpose, the Federal Office of Justice, which you can contact via the local court.</p>
Ansprechpunkt	The guardianship office responsible for you or the family court responsible for you (see above: responsible office)
Zuständige Stelle	The local court - family court - responsible for you at the seat of a higher regional court (§ 7 I AUG), as well as the social services office responsible for you.
Formulare	Yes
Ursprungsportal	Unterhaltsansprüche gegenüber einer im Ausland lebenden Person prüfen und verfolgen., Check and pursue maintenance claims against a person living abroad.