

99013005026000, 99013005026000

Notarizing the declaration of custody

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/8969522/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99013005026000, 99013005026000
Leistungsbezeichnung I	Notarizing the declaration of custody
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Adoption (013)
Verrichtungskennung	Beurkundung (026)
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	Vor der Geburt (1010100), Partnerschaft und Familie (1020000), Urkunden und Bescheinigungen (1070200), Nach der Geburt (1010200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	28.04.2022
Fachlich freigegeben durch	Federal Ministry of Justice (BMJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1626d.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG015303377 https://www.gesetze-im-internet.de/sgb_8/index.html https://www.gesetze-im-internet.de/bgb/_1626d.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG015303377 https://www.gesetze-im-internet.de/sgb_8/index.html
Teaser	If you as parents are not married to each other at the birth of your child, you can obtain joint custody by making both custody declarations.
Volltext	<p>If you, as parents of a common child, are not married to each other at the time of birth, only the mother has custody. Written information can be given about the sole custody of the mother, the so-called negative certificate.</p> <p>If you would like to have joint custody, both parents must declare this to the Youth Welfare Office or a notary and have it certified.</p> <p>You can also submit the declaration of custody if your child has not yet been born but has already been conceived. However, this is still possible and necessary after the birth if you do not want to marry each other and do not want to seek a court settlement. A declaration of custody must be publicly notarized. You can arrange this at the youth welfare office responsible for you or, for a fee, at a notary.</p> <p>After the submission of concurring declarations of</p>

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	custody, parental authority can only be changed by a decision of the family court.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Parents' identity card or passport • In the case of postnatal declaration: birth certificate of the child in which the father is registered • In case of prenatal declaration: maternity record and certificate of acknowledgement of paternity or court order establishing paternity
Voraussetzungen	<ul style="list-style-type: none"> • The parents are not married to each other. • There is legal paternity (by effective recognition or judicial determination) • The child does not have to be born yet, but it must be conceived. • A court decision on parental authority has not yet been made. • Parents must appear in person. • In principle, the parents must be legally competent. The declaration of custody of a parent with limited legal capacity requires the consent of his or her legal representative. • Both parents speak sufficiently German. If this is not the case: Jugendamt: If you need an interpreter, please let us know the desired language when making an appointment. Notary: If you need an interpreter, you must bring an interpreter to the appointment. This person needs a valid identity document and must not be related or related to the child's parents.
Kosten	Beitrag: 0€ - 80€ Jugendamt: There are no costs. Notary: approx. EUR 80.00; In addition, there are any costs for interpreters or translators.
Verfahrensablauf	For the declaration of custody, you must arrange a personal appointment at the Youth Welfare Office or in a notary's office: <ul style="list-style-type: none"> • If not already done, the father must first effectively acknowledge paternity. • Both parents must appear in person • In the appointment you will be informed about the legal consequences of the custody declarations. This will then be read to you and signed by both parents. • Both parents receive certified copies of the certificate.

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Bearbeitungsdauer	The notarization takes place directly in the appointment.
Frist	The child must still be a minor at the time the custody declarations are submitted.
weiterführende Informationen	https://familienportal.de/familienportal/lebenslagen/trennung/sorgerecht-umgangsrecht-und-namensrecht/was-regelt-das-sorgerecht--126082 https://www.bmj.de/DE/Themen/FamilieUndPartnerschaft/SorgeUmgangsrecht/SorgeUmgangsrecht_node.html
Hinweise	There are no clues or peculiarities.
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Custody declaration notarization • Parents who are not married to each other at the time of the birth of their child may declare joint custody of their child • personal appointment necessary • Declaration of custody is made by public certification • subsequent amendment of joint parental authority only possible by court decision • Declarations of the parents can also be submitted to different bodies • Responsible: Youth Welfare Office or Notary
Ansprechpunkt	
Zuständige Stelle	
Formulare	Forms available: NoWritten form required: YesInformal application possible: NoPersonal appearance required: YesOnline services available: No
Ursprungsportal	Sorgeerklärung beurkunden, Notarizing the declaration of custody