

99126006061000, 99126006061000

Assuming guardianship and guardianship

Heruntergeladen am 06.06.2025

<https://fimportal.de/xzufi-services/8969605/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99126006061000, 99126006061000
Leistungsbezeichnung I	Assuming guardianship and guardianship
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Vormundschaft (126)
Verrichtungskennung	Bestellung (061)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei

Modul	Sachverhalt
	grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.09.2019
Fachlich freigegeben durch	MFFJIV
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1774.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG017202377 https://www.gesetze-im-internet.de/sgb_8/_2.html https://www.gesetze-im-internet.de/sgb_8/BJNR111630990.html#BJNR111630990BJNG001107140 https://www.gesetze-im-internet.de/bgb/_1774.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG017202377 https://www.gesetze-im-internet.de/sgb_8/_2.html https://www.gesetze-im-internet.de/sgb_8/BJNR111630990.html#BJNR111630990BJNG001107140
Teaser	Are you wondering when guardianship or guardianship exists and what tasks are involved? Guardianship or guardianship for a child or young person is the legal representation instead of the parents and is intended to guarantee the child's welfare.
Volltext	A guardian is the legal representative of a minor who assumes responsibility for the child or young person in place of the parents. If the parents are only relieved of part of their legal responsibility, a guardianship is ordered. This representative, who is only responsible for certain matters, is called a supplementary guardian or guardian for short. In Germany, adults can be appointed a legal guardian by a court. Children and young people who have a guardian or supplementary guardian are called wards. The guardian independently represents the child or young person in all legal matters and takes care of their care and upbringing. The guardian or supplementary guardian must always consider the welfare and interests of the minor and make good

Modul

Sachverhalt

decisions. The guardian must have regular personal contact with the child or young person and important decisions must be discussed together.

A suitable adult, an association or the local youth welfare office can be appointed as guardian. Suitable relatives, foster parents or volunteers can also act as guardians. Carers of the child or young person in the home may not become guardians.

The guardianship or guardianship ends either when the ward reaches the age of majority or through dismissal by the court.

Erforderliche Unterlagen

Voraussetzungen

A guardian or supplementary guardian is appointed by the court for a minor child or young person:

- if both parents are unable or unwilling to take sufficient care of their child's affairs. In this case, the parents are deprived of part or all of their parental custody.
- if both custodial parents die or the parental care of the living parent is suspended or the sole custodial parent dies.
- if a minor adolescent has a child. This does not apply in all cases, for example if the recognized father of the child is of legal age and the parents have made a declaration of joint parental custody.
- if the parents cannot be identified, for example in the case of a confidential birth or if a newborn is handed in at a baby hatch.
- if parental custody is suspended, for example in the event of consent to an adoption, legal incapacity, limited legal capacity or because parental custody cannot be exercised for a longer period of time due to actual obstacles.
- after unaccompanied entry and residence of foreign children or adolescents without a responsible adult.

Kosten

Costs may be incurred as part of the family court proceedings and the court will decide whether to charge them.

Modul	Sachverhalt
	The Youth Welfare Office does not charge any fees for its work as guardian or supplementary guardian. If legal representation is deemed necessary by the parties involved, the costs of this representation must be borne by the parties themselves. It may be possible to make use of legal aid/legal aid.
Verfahrensablauf	
Bearbeitungsdauer	
Frist	The procedure for guardianship or trusteeship is initiated by an application or ex officio. The time limits and deadlines of the family court proceedings must then be observed.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	A guardian or supplementary guardian can be appointed for a minor child or adolescent, and guardianship may be ordered for adults.
Ansprechpunkt	Please contact the youth welfare office in your district or city.
Zuständige Stelle	
Formulare	
Ursprungsportal	Vormundschaft und Pflegschaft übernehmen, Assuming guardianship and guardianship