

99013007026000, 99013007026000

Consent of the father to the adoption of a child

Heruntergeladen am 10.06.2025

<https://fimportal.de/xzufi-services/430274151/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99013007026000, 99013007026000
Leistungsbezeichnung I	Consent of the father to the adoption of a child
Leistungsbezeichnung II	Consent of the father to the adoption of a child
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
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	Adoption und Pflegekinder (1020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	02.07.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Social Affairs, Health and Equality
Handlungsgrundlage	https://dejure.org/gesetze/BGB/1747.html https://dejure.org/gesetze/BGB/1750.html
Teaser	If you want to give your child up for adoption and are not married to the mother, you can consent to the adoption before the child is born. In addition, you can waive the need to apply for the transfer of parental authority (to yourself).
Volltext	In order for a child to be given up for adoption, the consent of both parents is required. This consent can usually only be given eight weeks after the birth of the child. If the mother is not married, you as the father, if you do not have custody, can give consent to the adoption even before the child is born. This consent must be notarized. Consent to adoption cannot be notarized at a youth welfare office. In addition, the father can make a declaration that he will not apply for parental care of the child. This declaration, supplementing the consent to relinquish transfer of custody, must be notarized "publicly." "Public" means that the declaration can also be notarized. However, the declaration can also be notarized (in this case free of charge) at a youth welfare office, for example. Both when notarizing the consent to an adoption and when notarizing the declaration of relinquishment, you will be informed about the legal consequences and effects of the notarization before it is notarized.

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Erforderliche Unterlagen	• Proof of identity (identity card, passport or similar document)
Voraussetzungen	You must be the father of the child. If paternity has not yet been legally established, you must be able to credibly prove that you are the child's father. For example, the mother could confirm that only you can be considered as the child's father.
Kosten	The notarial certification incurs costs in accordance with the applicable schedule of fees. The notary's office can inform you of the exact amount of the costs before the notarization. The public notarization of the waiver before the notary of a youth welfare office is free of charge.
Verfahrensablauf	• You will need to prove that you are the father of the child. A child's birth certificate, in which you are listed as the father, can serve as proof. If the child has not yet been born, you must provide credible evidence that you are the father of the child (see Requirements). The same applies if your paternity has not yet been validly established after the birth of the child. • The person who records the document will inform you about the legal effect of the document. • The certificate is then sent to the family court. The consent or waiver becomes effective as soon as the document has been received by the family court. • Both consent and waiver are irrevocable. This means that even if you change your mind, you cannot withdraw from the notarized declarations.
Bearbeitungsdauer	The necessary legal instructions and questions that you may wish to clarify before notarization require a time commitment that differs in each individual case. In addition, there may be a waiting period on site. It is advisable to make an appointment for the notarization.
Frist	The father who is not married to the mother can only have a waiver of the transfer of custody notarized after the birth of the child. In contrast, the father who is not married to the mother and does not have custody rights can have his consent to the adoption notarized

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	before the birth of the child. Otherwise, the mother and father - separately or jointly - can give notarized consent to the adoption of their child no earlier than eight weeks after the birth.
weiterführende Informationen	https://familienportal.de/familienportal/lebenslagen/kinderwunsch-adoption/adoption https://familienportal.de/familienportal/lebenslagen/kinderwunsch-adoption/adoption
Hinweise	The consent to the adoption must be notarized (i.e. by a notary public). The declaration of renunciation must be publicly notarized. This is also possible in a notary's office, but also in a youth welfare office, for example.
Rechtsbehelf	
Kurztext	• The consent of both parents is required for adoption. This can only be given eight weeks after the birth of the child. • If the parents are not married to each other, the non-custodial father of the child (or the man who claims to be the father of the child) can give his consent before the child is born. • The father may also waive the right to transfer parental custody of the child to him by means of a declaration. • The notarization of consent to adoption can be done in a notary's office. • A waiver can be notarized, among other things, in a notary's office or in a youth welfare office.
Ansprechpunkt	The notarization of consent to adoption can be done in a notary's office. A waiver can be notarized, among other things, in a notary's office or in a youth welfare office.
Zuständige Stelle	
Formulare	None
Ursprungsportal	Einwilligung des Vaters in die Adoption eines Kindes, Consent of the father to the adoption of a child