

99072003026000

# Obligation to fulfill maintenance claims notarization

Heruntergeladen am 30.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012609/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99072003026000
Leistungsbezeichnung I	Obligation to fulfill maintenance claims notarization
Leistungsbezeichnung II	Apply for assistance to determine maintenance claims
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	<div lang="en-x-mtfrom-de">single parent</div> , <div lang="en-x-mtfrom-de">Death of a spouse</div> , <div lang="en-x-mtfrom-de">Live separately</div> , <div lang="en-x-mtfrom-de">Assistance for minors</div> , <div lang="en-x-mtfrom-de">Life partner death</div> , <div lang="en-x-mtfrom-de">care</div> , <div lang="en-x-mtfrom-de">Entertains</div> , <div lang="en-x-mtfrom-de">certification</div> , <div lang="en-x-mtfrom-de">after separation</div>
Leistungstyp	

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Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	15.09.2023
Fachlich freigegeben durch	
Handlungsgrundlage	<p>Social Code (SGB) - Book Eight (VIII) - Child and Youth Welfare URL:  <a href="https://www.gesetze-im-internet.de/sgb_8/index.html">https://www.gesetze-im-internet.de/sgb_8/index.html</a>            Law to secure the maintenance of children of single mothers and fathers through maintenance advances or loss payments  <a href="https://www.gesetze-im-internet.de/uhvorschg/">https://www.gesetze-im-internet.de/uhvorschg/</a></p>
Teaser	<p>If the other parent does not pay maintenance, you can get support from the guardianship and have the maintenance obligation certified. The maintenance advance money office can help you directly financially and provide an advance or replacement of maintenance.</p>
Volltext	<p>If a single parent finds themselves in a situation where the other parent is not paying maintenance, perhaps because the other parent does not want to or cannot (e.g. unemployment, death), the single parent can turn to guardianship to receive support and to have maintenance payments determined. The maintenance advance payment office can advance maintenance payments or, in some cases, replace them completely. Even if the father does not want to acknowledge paternity, the child's mother can set up a guardianship to establish paternity and, if the paternity is successfully established, then demand maintenance. Parents are obliged to support their children. If one parent does not provide maintenance, the parent with whom the child lives can set up a guardianship. The guardianship can determine the maintenance claim</p>

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and possibly certify it. The amount of maintenance depends on income and assets. Once the amount of maintenance to be paid has been determined, this maintenance obligation should be set out in writing. The confirmation is made in the form of a special document by the notary. This special document is called a maintenance order. If the maintenance is not paid, an enforcement order can be applied for immediately at the responsible district court on the basis of the maintenance order. A guardianship can be arranged by speaking to the responsible authority or simply in writing. Such an application can be made before the child is born. Either if the father has yet to be identified or if it is already clear that no maintenance will be paid. All that is required is the identity card or passport of the parent making the application. You should also bring any other documents that may already be available in the maintenance matter (debt instruments, correspondence from a lawyer, etc.). If the other parent does not pay any or insufficient maintenance, your child will be granted maintenance advance payments in accordance with the Maintenance Advance Payments Act (UVG). An application for maintenance advance payments can be submitted to the responsible authority. This is how much money you can currently get (as of January 2022): This money will be immediately reclaimed from the defaulting parent by the maintenance advance office. An important prerequisite for the payment of maintenance advance is that your child lives with you and is younger than 18 years old. For children over the age of 12, there is an additional requirement that they are not themselves dependent on benefits under Book II of the Social Code (SGB II), or that they no longer receive SGB II benefits due to the maintenance advance payment, or that the single parent receiving SGB II benefits has their own gross monthly income of at least EUR 600. If the other parent is in a position to pay maintenance for your child, this is an advance on maintenance, which the maintenance advance office recovers from the parent who is actually obliged to pay maintenance. If the other parent is unable and therefore not obliged to pay maintenance for your child, a contingency payment will be made. For foreign nationals who are not citizens of

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a member state of the European Economic Area or Switzerland, eligibility must be examined on a case-by-case basis. The application for maintenance advance payments can only be submitted to the maintenance advance payment office. Two different departments.

**Erforderliche Unterlagen**

To establish an advisory body Identity card of the applicant if applicable, account details Child's birth certificate Furthermore, any documents that may already exist are helpful, such as letters from a lawyer, maintenance certificates, etc.) To apply for a maintenance advance/replacement: Identity card or passport of the applicant Child's birth certificate If available: maintenance title, court order or judgment or proof of service of the maintenance claim Account details for transferring the advance/replacement payment Proof of the time of separation or divorce If applicable, residence permit Proof of child benefit If necessary, custody decision or declaration of custody If necessary, acknowledgment of paternity Proof of the time of separation, e.g. confirmation from the lawyer If available, (reminder) letter in connection with the assertion of maintenance claims from the child If necessary, evidence of income from the child's assets (interest, etc.) and the child's work (e.g. training allowance)

**Voraussetzungen**
**Kosten**

Gebühr: Es fallen keine Kosten an

**Verfahrensablauf**
**Bearbeitungsdauer**

Assistance: After a personal meeting (approx. 30 to 60 minutes), processing usually takes place within 3 weeks. This also depends on the necessary measures. Maintenance advance: Once a complete application has been submitted, processing will take place immediately.

**Frist**

The child must still be a minor

**weiterführende Informationen**

<https://www.hamburg.de/service/suche/?query=unterhaltsvorschuss>  
<https://www.hamburg.de/behoerdenfinder/hamburg/i>

Modul	Sachverhalt
	<p>nfo/?query=unterhaltsvorschuss</p> <p><a href="https://hamburg.de/Dibis/vordr/JA-300-barrierefrei.pdf">https://hamburg.de/Dibis/vordr/JA-300-barrierefrei.pdf</a></p> <p><a href="https://hamburg.de/Dibis/vordr/JA-300-barrierefrei.pdf">https://hamburg.de/Dibis/vordr/JA-300-barrierefrei.pdf</a></p> <p><a href="https://www.hamburg.de/familienwegweiser/116706/unterhaltsvorschuss.html">https://www.hamburg.de/familienwegweiser/116706/unterhaltsvorschuss.html</a></p> <p><a href="https://www.hamburg.de/familienwegweiser/116706/unterhaltsvorschuss.html">https://www.hamburg.de/familienwegweiser/116706/unterhaltsvorschuss.html</a></p> <p><a href="https://www.bmfsfj.de/bmfsfj/service/publikationen/die-beistandschaft-73974">https://www.bmfsfj.de/bmfsfj/service/publikationen/die-beistandschaft-73974</a></p> <p><a href="https://www.bmfsfj.de/bmfsfj/service/publikationen/die-beistandschaft-73974">https://www.bmfsfj.de/bmfsfj/service/publikationen/die-beistandschaft-73974</a></p>
Hinweise	
Rechtsbehelf	contradiction
Kurztext	<p>If a parent cannot or does not want to pay maintenance (even after the death of the partner), the maintenance advance office can make an advance and, if necessary, get the money back from the defaulting parent. If the father of a child is unknown, a paternity test can be carried out with the help of the guardianship. If the parents are known, but one parent does not provide maintenance, the guardianship supports the parent in whose care the child is. The guardianship can determine the amount of maintenance and, if necessary, certify it. Applications for assistance can be made before a child is born.</p>
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Authority finder Hamburg</p>
Zuständige Stelle	District Office Wandsbek
Formulare	
Ursprungsportal	Behördenfinder Hamburg, Authority finder Hamburg (Currently this link is only available in german)