

99126006061000

# Guardian appointment

Heruntergeladen am 09.06.2025

<https://fimportal.de/services/99126006061000>

Modul	Sachverhalt
Leistungsschlüssel	99126006061000
Leistungsbezeichnung I	Guardian appointment
Leistungsbezeichnung II	Suggest appointment as guardian
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Baustein Leistungen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
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 grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Engagement und Beteiligung (1100100), Adoption und

Modul	Sachverhalt
	Pflegekinder (1020100), Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	06.01.2025
Fachlich freigegeben durch	BMJ
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/bgb/_1773.html">https://www.gesetze-im-internet.de/bgb/_1773.html</a>
Teaser	Would you like to take over the guardianship of a child on a voluntary basis? Then you can apply to the relevant family court.
Volltext	<p>You can take on voluntary guardianship if the child's biological parents cannot or are not allowed to exercise parental custody. This may be the case, for example, if</p> <ul style="list-style-type: none"> <li>• the child's mother is a minor herself</li> <li>• parental custody is suspended or has been withdrawn by the court</li> <li>• the child's parents are deceased</li> <li>• the parents of so-called foundlings cannot be identified</li> <li>• underage refugees are living unaccompanied in Germany</li> </ul> <p>Alternatively, guardianship exists until</p> <ul style="list-style-type: none"> <li>• until the child reaches the age of majority</li> <li>• the resumption of parental custody</li> <li>• to an adoption</li> </ul> <p>As a guardian, you basically have the same rights and duties as parents. You represent the child legally. However, you must obtain approval from the family court for certain decisions, for example</p> <ul style="list-style-type: none"> <li>• Concluding a training or employment contract for longer than one year</li> </ul>

## Modul

## Sachverhalt

- Moving abroad

If necessary, choose a suitable placement for the child, for example

- in a foster family
- in a sheltered apartment
- in a home
- in your own household

The guardian for a child is appointed by the family court. You can request your appointment as guardian, especially if you have a relationship with the child, for example

- as a grandmother or grandfather
- as an aunt or uncle
- as another family member

You can also take on guardianship jointly as husband and wife or as partners.

Your work is supported and monitored by the family court. As a guardian, you report regularly to the family court about the child and how the child's money is being used. You should meet the child in person at least once a month.

## Erforderliche Unterlagen

### Voraussetzungen

- You are at least 18 years old
  - You are suitable to take on the guardianship of a child
  - You are prepared to support the child's growing need to act independently and responsibly
  - Depending on the child's age, you discuss your decisions with the child and involve them in them
  - You maintain regular personal contact with the child

Modul	Sachverhalt
Kosten	There are no costs.
Verfahrensablauf	<ul style="list-style-type: none"> <li>• If you would like to take on a guardianship on a voluntary basis, you can first seek advice from the relevant youth welfare office.</li> <li>• You then submit an informal written application for your appointment to the family court. The guardian is generally selected by the family court, whereby the person who is best suited to look after the child and its assets is chosen.</li> <li>• An exception is only made if the parents have named or excluded a guardian in their last will and testament.</li> <li>• The family court will check your suitability and obtain information about you, for example from the               <ul style="list-style-type: none"> <li>• Federal Central Register</li> <li>• Debtor register</li> <li>• Youth Welfare Office</li> </ul> </li> <li>• It also takes into account               <ul style="list-style-type: none"> <li>• the wishes of the child</li> <li>• his family relationships</li> <li>• his personal ties</li> <li>• his religious denomination</li> <li>• its cultural background</li> <li>• the actual or presumed wishes of the parents</li> <li>• his living conditions</li> </ul> </li> <li>• The family court therefore hears the child before making a decision and gains a personal impression of them.</li> <li>• Your appointment as guardian is made by order of the competent family court.</li> </ul>
Bearbeitungsdauer	
Frist	There is no deadline.
weiterführende Informationen	<a href="https://www.bmfsfj.de/resource/blob/93476/696f3e58a974c53478a42bada43902fc/dein-vormund-vertritt-dich-broschuere-data.pdf">https://www.bmfsfj.de/resource/blob/93476/696f3e58a974c53478a42bada43902fc/dein-vormund-vertritt-dich-broschuere-data.pdf</a> <a href="https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Vormundschaftsrecht.html?nn=110568">https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Vormundschaftsrecht.html?nn=110568</a>
Hinweise	There are no indications / special features.
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Appeal to the Court of Appeal if you have been nominated as guardian by the parents but have not</li> </ul>

**Modul**
**Sachverhalt**

been appointed as guardian.

**Kurztext**

- Guardianship is necessary if the biological parents cannot or are not allowed to exercise parental custody, for example:
  - Mother of the child is a minor
  - Parental custody is suspended or has been withdrawn by the court
  - Parents of the child are deceased
  - in the case of so-called foundlings
  - in the case of unaccompanied refugee minors
- Guardianship exists alternatively until
  - until the child reaches the age of majority
  - the resumption of parental custody
  - to an adoption
- Guardians have the same rights and duties as parents
  - certain decisions require family court approval, for example
    - Conclusion of a training or employment contract for longer than one year
    - Moving abroad
  - if necessary, guardian selects suitable accommodation for the child, for example:
    - in a foster family
    - in a supervised apartment
    - in a home
    - in their own household
- Guardian is appointed by the family court, family members can request appointment as guardian
- Guardianship can also be assumed jointly by spouses or partnered persons
  - Personal meetings with the child at least once a month

**Ansprechpunkt**
**Zuständige Stelle**
**Formulare**
**Ursprungsportal**