

99069003156001, 99069003156001

Unaccompanied minor foreigners - accommodation and care

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/345235142/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99069003156001, 99069003156001
Leistungsbezeichnung I	Unaccompanied minor foreigners - accommodation and care
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Jugendschutz (069)
Verrichtungskennung	Klärung (156)
SDG-Informationsbereich	
Lagen Portalverbund	Verbraucherschutz (2140100), Kinderbetreuung (1020200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	19.09.2016
Fachlich freigegeben durch	Hessian Ministry for Social Affairs and Integration
Handlungsgrundlage	https://www.gesetze-im-internet.de/sgb_8/index.html#BJNR111630990BJNE006809140 https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/UnbegleiteteMinderjaehrige/unbegleiteteminderjaehrige-node.html https://www.gesetze-im-internet.de/sgb_8/index.html#BJNR111630990BJNE006809140 https://www.bamf.de/DE/Themen/AsylFluechtlingsschutz/UnbegleiteteMinderjaehrige/unbegleiteteminderjaehrige-node.html
Teaser	
Volltext	<p>Unaccompanied minor aliens (umA) are children and young people who enter the Federal Republic of Germany from crisis areas around the world without a legal guardian or legal guardian and who have not yet reached the age of 18 when they enter the country (see Section 42 para. 1 sentence 1 no. 3 SGB VIII). Legal guardians are primarily the parents of a minor child. Any person of legal age is entitled to guardianship if they perform personal care tasks on the basis of an agreement with the legal guardian, not just temporarily and not just for individual activities (Section 7 Para. 1 No. 6 SGB VIII). Although the agreement does not require any special formal requirement and is usually made by conclusive action, it is essential in any case that the person with parental authority gives authorization - albeit conclusive - to exercise the functions of custody (parental mandate). If the requirements for parental authority are not met, the youth welfare office is obliged to provisionally take the minor into care in accordance with Section 42a Para. 1 Sentence 1 SGB VIII. Otherwise, temporary custody is not possible.</p> <p>As soon as it becomes known that an umA has entered Hesse, the institution that first became aware of the</p>

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umA's entry (Hessian initial reception center, federal police, etc.) informs the locally responsible youth welfare office. The youth welfare office then conducts an initial interview with the umA, in which the umA's personal details and age are determined and it is checked whether the requirements for temporary custody in accordance with Section 42a SGB VIII are met.

This is immediately followed by the so-called "initial screening", in which the following criteria are checked:

- Would the welfare of the child or young person be jeopardized by carrying out the placement procedure?
- Is a person related to the child or young person in Germany or abroad?
- Does the welfare of the child or young person require that they be taken into care together with siblings or other unaccompanied foreign children or young people?
- Does the child's or young person's state of health preclude the implementation of the placement procedure (within 14 working days of the start of temporary custody)? A medical opinion should be obtained for this purpose.

If it has been determined that the umA is fit for placement, the state placement office will, after being informed by the Federal Office of Administration (BVA), forward the number of umA to be placed to the state placement office of the receiving state. From there, the data is passed on to the new responsible receiving youth welfare office. Which federal state is responsible is determined beforehand by the BVA using the Königstein Key and communicated to the Hessian state distribution office. Hesse has currently exceeded the quota determined on the basis of the Königstein Key, meaning that Hesse is currently only the sending and not the receiving federal state. If the umA is taken into care, they are immediately placed in suitable accommodation or a facility in the area of the responsible, receiving youth welfare office. In addition, the youth welfare office will immediately appoint a guardian for the umA through the family court. The appointment of a guardian is made ex officio if the

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requirements are met (Sections 1773, 1774 BGB) and therefore does not require a formal application. However, it is necessary that the initiation of proceedings before the family court is suggested (see Section 24 FamG, according to which the initiation of proceedings before the family court only requires a suggestion if the initiation is ex officio). This means that the court takes action ex officio as part of its duty of care if it becomes aware of facts that could require legal welfare measures and starts investigations (ex officio) in order to further clarify the facts. For example, the guardian clarifies regular schooling for the umA, initiates steps under residence law (asylum application), applies for educational assistance (§§ 27 ff SGB VIII),...

The local Hessian youth welfare offices are responsible for the care and support of umA. The social services of the youth welfare offices draw up an individual assistance plan with and for the umA to ensure the best possible individual support, development and encouragement for the young person.

Erforderliche Unterlagen
Voraussetzungen
Kosten
Verfahrensablauf
Bearbeitungsdauer
Frist
**weiterführende
Informationen**
Hinweise

Information can also be found on the website of the Hessian Ministry of Labor, Integration, Youth and Social Affairs.
<https://soziales.hessen.de/Flucht-und-Integration/Flucht>
<https://soziales.hessen.de/Flucht-und-Integration/Flucht>

Rechtsbehelf

Modul	Sachverhalt
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Unaccompanied minor foreigners - accommodation and care, Unbegleitete minderjährige Ausländer - Unterbringung und Versorgung