

99046017002000, 99046017002000

Maintenance claim on the occasion of birth Determination

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/370475310/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99046017002000, 99046017002000
Leistungsbezeichnung I	Maintenance claim on the occasion of birth Determination
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Festsetzung (002)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption,

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	Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	18.06.2021
Fachlich freigegeben durch	Hessian Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_1615l.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_112.html https://www.gesetze-im-internet.de/famfg/_113.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/famfg/_231.html https://www.gesetze-im-internet.de/famfg/_232.html https://www.gesetze-im-internet.de/bgb/_1615l.html https://www.gesetze-im-internet.de/famfg/_111.html https://www.gesetze-im-internet.de/famfg/_112.html https://www.gesetze-im-internet.de/famfg/_113.html https://www.gesetze-im-internet.de/famfg/_114.html https://www.gesetze-im-internet.de/famfg/_231.html https://www.gesetze-im-internet.de/famfg/_232.html
Teaser	As an unmarried mother, you can claim maintenance from the child's father on the occasion of the birth of the child.
Volltext	<p>If you, as the child's mother, are unable to reach an agreement with the child's legal father on an appropriate amount of maintenance, you can assert a maintenance claim in court on the occasion of the birth. The course of such court proceedings is essentially based on the regulations applicable to civil proceedings.</p> <p>If you, as the mother of the child, cannot be expected to work due to the care or upbringing of the child, you may also be entitled to childcare maintenance for the period of at least 4 months before the birth and at least 3 years after the birth, or even longer, in addition to the maintenance claim for the period of 6 weeks before and 8 weeks after the birth. The father may also</p>

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	<p>be entitled to such childcare maintenance from the mother if he is caring for the child.</p> <p>The amount of maintenance is calculated according to the recognized principles of maintenance calculation, which fill out the undefined legal terms of maintenance law. For details, please contact a lawyer.</p> <p>Further information can also be found in the maintenance guidelines of the higher regional courts.</p>
Erforderliche Unterlagen	Proof of income, assets and personal and financial circumstances. Important are also Court orders, settlements or documents relating to maintenance and the acknowledgement or establishment of paternity.
Voraussetzungen	<p>As the unmarried mother of a child, you can claim maintenance for the period of 6 weeks before and 8 weeks after the birth of the child, as well as additional childcare maintenance, subject to the following conditions:</p> <ul style="list-style-type: none"> • No marriage to the child's father. • Paternity has been established or recognized. • You are in need because you cannot work full-time due to pregnancy, caring for or bringing up the child. • The child's father is able to pay.
Kosten	<ul style="list-style-type: none"> • Court costs • lawyer's fees • both depend on the amount in dispute
Verfahrensablauf	<p>An application to claim maintenance on the occasion of the birth can only be made by a lawyer.</p> <ul style="list-style-type: none"> • The further course of the court proceedings is essentially based on the provisions governing civil proceedings. • The court can order the parties involved to provide information about their income, assets and personal and financial circumstances. If the parties involved do not comply with this order, the court can independently obtain information, e.g. from employers or insurance companies.
Bearbeitungsdauer	At least 3 months due to the prescribed procedure,

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	possibly longer in more complex procedures, depending on the individual case
Frist	In principle, maintenance can only be claimed for the future. For the past only under certain conditions.
weiterführende Informationen	
Hinweise	https://ordentliche-gerichtsbarkeit.hessen.de/OLG-Frankfurt https://www.bmfsfj.de/ https://ordentliche-gerichtsbarkeit.hessen.de/OLG-Frankfurt https://www.bmfsfj.de/
Rechtsbehelf	Appeal pursuant to §§ 58 ff. FamFG against the family court decision within one month through a lawyer
Kurztext	<ul style="list-style-type: none"> • Maintenance claim on the occasion of the birth Determination • This maintenance can only be claimed by the mother who is not married to the father • Compulsory attorney • Prerequisites: No marriage to the child's father Paternity established or recognized Mother of the child is in need, as she is not fully employed due to pregnancy, care or upbringing of the child Father of child able to pay • Responsible: Local court - family court
Ansprechpunkt	Please contact a lawyer.
Zuständige Stelle	<ul style="list-style-type: none"> • The local court - family court - with jurisdiction for you (Sections 23a (1) sentence 1, 23b (1) GVG) • The local court - family court - responsible for you in accordance with Section 232 (3) sentence 2 no. 1 FamFG will determine the youth welfare office responsible for you in your district or city or the lawyer appointed by you.
Formulare	None
Ursprungsportal	Maintenance claim on the occasion of birth Determination, Unterhaltsanspruch aus Anlass der Geburt Festsetzung