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Advice and deputyship in determining paternity

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/381433118/L100001>

| Modul | Sachverhalt |
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| Leistungsschlüssel | 99072001077000, 99072001077000 |
| Leistungsbezeichnung I | Advice and deputyship in determining paternity |
| Leistungsbezeichnung II | Advice and deputyship in determining paternity |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Hessen |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | fachlich freigegeben (gold) |
| Begriffe im Kontext | |
| Leistungstyp | Leistungsobjekt mit Verrichtung |
| Leistungsgruppierung | Kindesunterhalt (072) |
| Verrichtungskennung | Beratung und Unterstützung (077) |
| 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 | Trennung mit Kind (1020500) |
| Einheitlicher Ansprechpartner | Nein |
| Fachlich freigegeben am | 22.02.2023 |
| Fachlich freigegeben durch | Hessian Ministry of Social Affairs and Integration |
| Handlungsgrundlage | https://www.gesetze-im-internet.de/sgb_8/_52a.html https://www.gesetze-im-internet.de/sgb_8/_52a.html |
| Teaser | You have or are having a child and the father of the child does not want to acknowledge his paternity or is unknown? Get advice on what they can do and who will help them. |
| Volltext | <p>If you have a child and are not married to the child's father, the father does not automatically become the legal father of the child. This goes through a voluntary recognition of paternity.</p> <p>If the father does not voluntarily acknowledge paternity or it is unclear who the father is, there is also the way of judicial determination of paternity.</p> <p>You can get advice from the Youth Welfare Office. The Youth Welfare Office also supports you in determining paternity.</p> <p>With a determined paternity, you can clarify other things:</p> <ul style="list-style-type: none"> • Maintenance claims of the child • Maintenance claims of the mother • Custody • Inheritance rights of the child • Giving the father's name <p>But the child also has a right to know his origin.</p> <p>You can apply for a conservatorship for the determination of paternity.</p> |

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The conservatorship does not restrict parental authority. The conservator represents the child in the context of establishing paternity. The adviser may act on behalf of the child out of court and in court. If legal paternity has been established, the conservator can also clarify questions of maintenance.

In particular, the adviser may do the following:

- Request of the father to acknowledge paternity and to take the necessary documents
- Initiation of judicial clarification of paternity
- Calculation of your child's maintenance claim
- Regular review of maintenance entitlement
- Recording of a certificate of maintenance
- judicial enforcement of the maintenance claim
- Recovery and control of maintenance payments
- Determination of residence and employer of the parent liable for maintenance
- Initiation of enforcement measures

You can terminate the conservatorship at any time by written declaration.

Erforderliche Unterlagen

Depending on the need. No special documents are required for consultation. If existing documents are brought to the initial consultation, this enables targeted advice.

Voraussetzungen

You can get advice on the topic at any time.

The expectant mother can apply for conservatorship before the birth of the child if she is not married and the parents have not submitted joint declarations of custody.

After birth, the conservatorship can be applied for at any time until the child reaches the age of majority.

Kosten

Counselling and deputyship are free of charge.

Court proceedings conducted within the framework of a conservatorship may incur costs in individual cases.

Verfahrensablauf

Make an appointment with the locally responsible youth welfare office. The appointment can also take

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place at home at your request.

For the conservatorship, a written application to the locally responsible youth welfare office is sufficient. Upon receipt of the application, the Youth Welfare Office immediately assists the child. The Youth Welfare Office at the place of residence of the applicant parent is responsible.

Bearbeitungsdauer

Frist

There are no special deadlines to be observed. Upon receipt of the application for conservatorship, the Youth Welfare Office immediately assists the child. The conservatorship ends as soon as you inform the Youth Welfare Office in writing.

weiterführende Informationen

Hinweise

The Youth Welfare Office also does the following:

- The Youth Welfare Office advises and supports you in asserting maintenance claims.
- The Youth Welfare Office certifies acknowledgements of paternity and consents, maintenance claims, custody declarations for joint custody and maternity recognitions.
- The Youth Welfare Office issues certificates for unmarried mothers that there is no entry in the custody register and that the mother thus has sole custody.

Rechtsbehelf

Kurztext

- Paternity determination Advice and support
- If father does not acknowledge paternity or the father is unknown
- Right to advice and assistance
- If judicial determination: Youth Welfare Office appoints assistance
- Assistance represents the mother
- Custody remains with the mother
- Responsible: Local Youth Welfare Office

Ansprechpunkt

Please contact the youth welfare office of your district

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| | or city. |
| Zuständige Stelle | |
| Formulare | |
| Ursprungsportal | Advice and deputyship in determining paternity, Beratung und Beistandschaft bei der Feststellung der Vaterschaft |