

99046025002001, 99046025002001

Applying for child support under the simplified procedure

Heruntergeladen am 18.07.2025

<https://fimportal.de/xzufi-services/393433456/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99046025002001, 99046025002001
Leistungsbezeichnung I	Applying for child support under the simplified procedure
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
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	29.09.2020
Fachlich freigegeben durch	Senator for Justice and Constitution of the Free Hanseatic City of Bremen
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG014902377 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/BJNR25870008.html#BJNR25870008BJNG003300000 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG014902377 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/BJNR25870008.html#BJNR25870008BJNG003300000
Teaser	For a minor child of separated parents, appropriate maintenance may be required from the part liable for maintenance.
Volltext	<p>Maintenance for a minor child of separated parents – married or unmarried – can be claimed by the maintenance debtor from the family court in a regular (disputed) or simplified maintenance procedure. The simplified procedure must be requested using a form. It can lead to an enforceable title (maintenance order) faster and more cost-effectively than a disputed maintenance procedure.</p> <p>You can seek advice from employees in the Youth Welfare Office or a lawyer as to whether this form of procedure is suitable in your case.</p>

Modul	Sachverhalt
Erforderliche Unterlagen	<p>for the applicant:</p> <ul style="list-style-type: none"> • The form "Application for determination of maintenance according to § 249 FamFG (Simplified Procedure)" - available from the Youth Welfare Office or from any district court • A declaration on the income and financial circumstances of the child and the parents (if known) • Any evidence and supporting documents about the income situation <p>for the defendant:</p> <ul style="list-style-type: none"> • Objection form -available at the district court • Appropriate evidence and supporting documents
Voraussetzungen	<p>The conditions for the simplified procedure for determining maintenance are:</p> <ul style="list-style-type: none"> • It is maintenance for a minor child, or for an adult child for the previous period of minority. • No court has already ruled on the maintenance claim or no judicial maintenance proceedings have yet been initiated before the court. • There is still no enforceable maintenance title (e.B. a youth welfare office certificate). • The required maintenance for the child is not higher than 1.2 times the minimum maintenance. <p>You are entitled to assert the maintenance claim as</p> <ul style="list-style-type: none"> • custodial parent with whom the minor child lives, or • Person or entity that legally represents the child.
Kosten	<ul style="list-style-type: none"> • Legal expenses • If applicable, lawyer's fees • both depend on the amount in dispute
Verfahrensablauf	<p>You must submit the application via the application form, which can be obtained from the Youth Welfare Office or the District Court. The form is also available for download.</p> <ul style="list-style-type: none"> • You submit the application as an authorized person either in their own name for the child if you are

Modul

Sachverhalt

married to the other parent and you live separately, or a matrimonial matter is pending between you. or on behalf of the child as his or her legal representative.

- You submit the completed and signed application with the necessary evidence to your competent family court at the district court.
- The court shall inform the defendant in writing that the determination of a maintenance payment for the child has been requested.
- The person liable for maintenance is given the opportunity to raise objections within one month: The law provides only under strict conditions that objections of the defendant are taken into account in the simplified maintenance procedure.
- For clarification, the defendant must disclose his or her income and financial circumstances: attaches appropriate supporting documents. explains to what extent he or she is willing to pay maintenance.
- The court will inform you of any objections and the information provided.
- If the defendant declares his or her willingness to pay maintenance in whole or in part or raises no or only inadmissible objections, the court shall determine the maintenance accordingly by order.
- Note: Otherwise, the simplified procedure has failed and will be transferred to the disputed procedure upon request.

Bearbeitungsdauer

- usually about two months, depending on the individual case

Frist

Only maintenance for or from the period of minority of the child can be determined; Maintenance for the past can only be demanded under certain conditions.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Child maintenance Determination under the simplified procedure
- Form application
- The simplified procedure requires: It is maintenance

Modul	Sachverhalt
	<p>for a minor child or for an adult child for the past period of minority. no court has already ruled on the maintenance claim no judicial maintenance proceedings initiated at the court no enforceable maintenance title the maintenance required for the child is not higher than 1.2 times the minimum maintenance.</p> <ul style="list-style-type: none"> • The parent with whom the minor child lives or the person or body legally representing the child are entitled to apply. • competent: District Court – Family Court –
Ansprechpunkt	Contact the family court.
Zuständige Stelle	
Formulare	<ul style="list-style-type: none"> • Application for determination of maintenance according to § 249 FamFG (Simplified procedure) Objection form
Ursprungsportal	Applying for child support under the simplified procedure, Kindesunterhalt im vereinfachten Verfahren beantragen