

99072002077000

Childcare maintenance for unmarried mothers and fathers, counselling by the youth welfare office

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Modul	Sachverhalt
Leistungsschlüssel	99072002077000
Leistungsbezeichnung I	Childcare maintenance for unmarried mothers and fathers, counselling by the youth welfare office
Leistungsbezeichnung II	Childcare maintenance for unmarried mothers and fathers, counselling by the youth welfare office
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	

Modul	Sachverhalt
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	• § 1615I Bürgerliches Gesetzbuch (BGB) – Unterhaltsanspruch von Mutter und Vater aus Anlass der Geburt • § 1609 Nr. 2 BGB – Rangfolge mehrerer Unterhaltsberechtigter • § 18 Absatz 1 Nummer 2 Sozialgesetzbuch, Achtes Buch (SGB VIII) – Beratung und Unterstützung bei der Ausübung der Personensorge und des Umgangsrechts • Auslandsunterhaltsgesetz (AUG) – zur Geltendmachung und Durchsetzung von Unterhalt bei Auslandsbezug
Teaser	In the first years of life, children need special care from their parents. If the parents are separated, care is usually the responsibility of one parent alone. According to maintenance law, the other parent may be obliged to pay alimony in this case - even if neither was or is married.
Volltext	Maintenance claim of mother and father on the occasion of birth according to § 1615I BGB In the first years of life, children need special care from their parents. If the parents are separated, care is usually the responsibility of one parent alone. According to maintenance law, the other parent may be obliged to pay alimony in this case - even if neither was or is married. Also with regard to the duration of care maintenance, non-married parents are on an equal footing with married and divorced parents. Alimony payments to the caring parent are eligible for up to three years after

Modul

Sachverhalt

the birth of the child - under certain conditions even longer. The decisive factors are the interests of the child and the real possibilities of care.

Entitlement and amount

There is no fixed amount for childcare maintenance; the amount depends on the standard of living of the person entitled to alimony, the reference point being the last earned income. In addition, the parent obliged to pay alimony is entitled to a deductible.

Tip: To determine the claim, the Dresden Higher Regional Court (Oberlandesgericht) offers guidance on its website based on the so-called Düsseldorf Table in the current alimony guidelines.

Irrespective of the maintenance, the child's maintenance claim comes first.

Attention! For the assertion and enforcement of maintenance claims with a foreign connection, you can seek advice from the Dresden Local Court (Amtsgericht Dresden) or the Federal Office of Justice (Bundesamt für Justiz).

Erforderliche Unterlagen

- Documents on the own assets and earnings of the parent in need of support and if possible of the other parent

Voraussetzungen

- Indigence: The parent in need of maintenance cannot provide for his or her own maintenance.
- Capacity: The other parent is able to contribute to the maintenance of the needy parent from his/her income and assets.

Kosten

none

Verfahrensablauf

- If you have questions about maintenance, you can get free advice and support as a single parent from your local youth welfare office (Jugendamt).
- You can also have the amount of your claim determined there.
- Advice is generally provided in connection with an acknowledgement of paternity (notarisation by the Youth Welfare Office).

Modul	Sachverhalt
Bearbeitungsdauer	
Frist	Entitlement to childcare maintenance: • at the earliest four months before the birth until three years after the birth of the illegitimate child • in certain cases, more than three years (for example, if the child is disabled) Note: Make your claim in time, retroactive claims can only be enforced under certain conditions.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	non applicable
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	