

99046025002001, 99046025002001

Claiming child support in a faster, simpler court process

Heruntergeladen am 18.07.2025

<https://fimportal.de/xzufi-services/216478592/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99046025002001, 99046025002001
Leistungsbezeichnung I	Claiming child support in a faster, simpler court process
Leistungsbezeichnung II	Claiming child support in a faster, simpler court process
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
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

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	Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Trennung mit Kind (1020500)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.07.2023
Fachlich freigegeben durch	Thuringian Ministry for Migration, Justice and Consumer Protection
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	If you are separated as parents of a minor child, you can demand reasonable maintenance from the other parent.
Volltext	<p>Maintenance for a minor child of separated - married or unmarried - parents can be claimed by you as the maintenance obligor at the family court in a regular - contentious - or also in a simplified maintenance procedure. The simplified procedure must be applied for using a form. It can lead to a maintenance order more quickly and cost-effectively than contentious maintenance proceedings.</p> <p>You can ask staff at the Youth Welfare Office or a lawyer for advice on whether this form of procedure is</p>

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	suitable in your case.
Erforderliche Unterlagen	<p>for the applicant/applicant:</p> <ul style="list-style-type: none"> • The form "Application for the determination of maintenance according to § 249 FamFG (Simplified Procedure)". • A declaration of income and financial circumstances of the child and parents (if known) • Any proofs and documents on the income situation <p>For the respondent:</p> <ul style="list-style-type: none"> • Objection form - available from the local court • Appropriate proofs and supporting documents
Voraussetzungen	<p>Prerequisites for the simplified procedure of alimony determination are:</p> <ul style="list-style-type: none"> • The maintenance in question is for a minor child or for an adult child for the past period of minority. • No court has already ruled on the child support claim or no judicial child support proceedings have yet been initiated with the court. • There is not yet an enforceable maintenance title (for example, a Jugendamt certificate). • The requested maintenance for the child is not higher than 1.2 times the minimum maintenance. <p>You are entitled to assert the claim for maintenance as a</p> <ul style="list-style-type: none"> • custodial parent with whom the minor child lives, or • person or entity legally representing the child.
Kosten	<ul style="list-style-type: none"> • Court costs • If applicable, attorney's fees • both depends on the amount in dispute
Verfahrensablauf	<p>You must submit the application using the application form, which can be obtained from the youth welfare office or the local court. The form is also available for download.</p> <ul style="list-style-type: none"> • You make the application as the authorized person either in your own name for the child if you are

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married to the other parent and you live separately or a matrimonial case is pending between you. or in the name of the child as its legal representative.

- You submit the completed and signed application with the necessary supporting documents to your competent family court at the local court.
- The court will notify the respondent in writing that a child support order has been filed.
- The person liable for maintenance is given the opportunity to raise objections within one month: The law provides only under narrow conditions that objections of the defendant are considered in the simplified maintenance proceedings.
- For clarification purposes, the defendant must disclose his or her income and financial circumstances: Encloses appropriate supporting documents. Declares the extent to which he or she is willing to pay maintenance.
- The court will inform you of any objections and the information provided.
- If the respondent declares his or her willingness to pay maintenance in whole or in part, or raises no objections or only inadmissible objections, the court will set the maintenance accordingly by order.
- Note: Otherwise, the simplified proceedings have failed and will be transferred to the contentious proceedings upon application.

Bearbeitungsdauer

- usually about two months, depending on the individual case

Frist

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

weiterführende Informationen

Hinweise

Rechtsbehelf

Appeal against the family court decision within one month

Kurztext

- Child support determination in simplified procedure
- Form application
- The requirements for the simplified procedure are: It

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	<p>concerns maintenance for a minor child or for an adult child for the past period of minority. no court has already decided on the maintenance claim no judicial maintenance proceedings have been initiated with the court no enforceable maintenance order demanded child support is not higher than 1.2 times the minimum child support.</p> <ul style="list-style-type: none"> • The person entitled to file an application is the custodial parent with whom the minor child lives or the person or entity legally representing the child. • Responsible: Local court (family court)
Ansprechpunkt	For assistance, please contact the Youth Welfare Office (Beistandschaft) or a lawyer.
Zuständige Stelle	the local court responsible for you Local court (family court)
Formulare	<ul style="list-style-type: none"> • Application for determination of maintenance according to § 249 FamFG (simplified procedure) - available at the youth welfare office or at any district court • Objection form
Ursprungsportal	Geltendmachung von Kindesunterhalt in einem schnelleren, einfacheren Gerichtsverfahren, Claiming child support in a faster, simpler court process