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Consent of the father to the adoption of a child

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/108570323/L100041>

Modul	Sachverhalt
Leistungsschlüssel	99013007026000, 99013007026000
Leistungsbezeichnung I	Consent of the father to the adoption of a child
Leistungsbezeichnung II	Consent of the father to the adoption of a child
Typisierung	3b - Bundesaufsichtsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Brandenburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Adoption (013)
Verrichtungskennung	Beurkundung (026)
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	Adoption und Pflegekinder (1020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	30.03.2023
Fachlich freigegeben durch	Senator for Social Affairs, Youth, Integration and Sport of the Free Hanseatic City of Bremen
Handlungsgrundlage	https://dejure.org/gesetze/BGB/1747.html https://dejure.org/gesetze/BGB/1750.html
Teaser	If you want to give your child up for adoption and you are not married to the mother, you can refrain from filing an application for transfer of parental care to yourself after the child's birth. You can declare this even before the birth.
Volltext	<p>In order for a child to be given up for adoption, the consent of both parents is required. This consent can usually only be given eight weeks after the birth of the child.</p> <p>If the mother is not married, you as the father, if you do not have custody, can give consent to the adoption even before the child is born. This consent must be notarized. Consent to adoption cannot be notarized at a youth welfare office.</p> <p>In addition, the father can make a declaration that he will not apply for parental care of the child. This declaration, supplementing the consent to relinquish transfer of custody, must be notarized "publicly." "Public" means that the declaration can also be notarized. However, the declaration can also be notarized (in this case free of charge) at a youth welfare office, for example.</p> <p>Both when notarizing the consent to an adoption and when notarizing the declaration of relinquishment, you will be informed about the legal consequences and effects of the notarization before it is notarized.</p>

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Erforderliche Unterlagen	<ul style="list-style-type: none"> • Proof of identity (identity card ,passport or comparable document). • Proof of paternity (child's birth certificate, either with father's entry or father's declaration of acknowledgement plus mother's confirmation of paternity)
Voraussetzungen	<p>You must be the father of the child. If paternity has not yet been legally established, you must be able to credibly prove that you are the child's father.</p> <p>For example, the mother could confirm that only you can be considered as the child's father.</p>
Kosten	<p>The notarial certification incurs costs in accordance with the applicable schedule of fees. The notary's office can inform you of the exact amount of the costs before the notarization.</p> <p>The public notarization of the waiver before the notary of a youth welfare office is free of charge.</p>
Verfahrensablauf	<p>You must prove that you are the father of the child. A birth certificate of the child in which you are registered as the father can serve as proof. If the child has not yet been born, you must provide prima facie evidence that you are the child's father (see Requirements). The same applies if your paternity has not yet been legally established after the birth of the child.</p> <p>The person recording the deed will inform you about the legal effect of the deed.</p> <p>An appointment is required for the notarization at the Youth Welfare Office.</p> <p>The deed is then sent to the family court. The consent or waiver becomes effective as soon as the deed is received by the family court.</p> <p>Both the consent and the waiver are irrevocable. This means that even if you change your mind, you cannot withdraw from the notarized declarations.</p>
Bearbeitungsdauer	The necessary legal instructions and questions that

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	<p>you may wish to clarify before notarization require a time commitment that differs in each individual case. In addition, there may be a waiting period on site. It is advisable to make an appointment for the notarization.</p>
Frist	<p>The father who is not married to the mother can only have a waiver of the transfer of custody notarized after the birth of the child. In contrast, the father who is not married to the mother and does not have custody rights can have his consent to the adoption notarized before the birth of the child. Otherwise, the mother and father - separately or jointly - can give notarized consent to the adoption of their child no earlier than eight weeks after the birth.</p>
weiterführende Informationen	<p>https://familienportal.de/familienportal/lebenslagen/ki-nderwunsch-adoption/adoption</p>
Hinweise	<p>The consent to the adoption must be notarized (i.e. by a notary public).</p> <p>The declaration of renunciation must be publicly notarized. This is also possible in a notary's office, but also in a youth welfare office, for example.</p>
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Declaration by which the father renounces the transfer of custody Notarization • Both parents must agree to the adoption • Father must prove that he is the father • Possible at the youth welfare office or notary's office • The adoption office of the locally responsible youth welfare office is responsible
Ansprechpunkt	
Zuständige Stelle	<p>The adoption and documentation office (in the local youth welfare office)</p>
Formulare	<p>None</p>
Ursprungsportal	<p>Consent of the father to the adoption of a child, Einwilligung des Vaters in die Adoption eines Kindes</p>