

99069003156000

Heruntergeladen am 16.07.2025

<https://fimportal.de/xzufi-services/29321/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99069003156000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Children and young people; taken into care by the youth welfare office
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	

Modul	Sachverhalt
Fachlich freigegeben am	13.05.2025
Fachlich freigegeben durch	Bayerisches Staatsministerium für Familie, Arbeit und Soziales (Bavarian Bavarian State Ministry for Family, Labour and Social Affairs)
Handlungsgrundlage	<a href="http://www.gesetze-im-internet.de/sgb_8/_42.html">http://www.gesetze-im-internet.de/sgb_8/_42.html</a> <a href="http://www.gesetze-im-internet.de/sgb_8/_42.html">http://www.gesetze-im-internet.de/sgb_8/_42.html</a> <a href="http://www.gesetze-im-internet.de/sgb_8/_42a.html">http://www.gesetze-im-internet.de/sgb_8/_42a.html</a> <a href="http://www.gesetze-im-internet.de/sgb_8/_42a.html">http://www.gesetze-im-internet.de/sgb_8/_42a.html</a> <a href="http://www.gesetze-im-internet.de/bgb/_1666.html">http://www.gesetze-im-internet.de/bgb/_1666.html</a> <a href="http://www.gesetze-im-internet.de/bgb/_1666.html">http://www.gesetze-im-internet.de/bgb/_1666.html</a> <a href="http://www.gesetze-im-internet.de/bgb/_1666a.html">http://www.gesetze-im-internet.de/bgb/_1666a.html</a> <a href="http://www.gesetze-im-internet.de/bgb/_1666a.html">http://www.gesetze-im-internet.de/bgb/_1666a.html</a>
Teaser	Is the welfare of a child or young person at risk? If you have any indications of this, you can contact the responsible youth welfare office.
Volltext	<p>The youth welfare office is entitled and obliged to take a child or young person into its care. This is particularly the case if the child or young person requests it or if there is an urgent risk to the child's welfare that requires it to be taken into care and the legal guardians do not object or a family court decision cannot be obtained in time.</p> <p>While the child is being taken into care, the youth welfare office has extensive powers to act directly, in particular it is entitled to take all legal actions that are necessary for the welfare of the child or young person (e.g. arranging necessary medical examinations). Taking a child into care is also associated with the authority to temporarily place them with a suitable person, institution or other (suitable) form of accommodation (e.g. child protection centers, standby foster homes, etc.).</p> <p>If the custodial parents or legal guardians object to being taken into care, the youth welfare office must immediately obtain a decision from the family court on the necessary measures for the welfare of the child or young person if, in its opinion, the welfare of the child is at risk and the custodial parents or legal guardians are not willing or able to avert the risk.</p>

## Modul

## Sachverhalt

Foreign children and young people who come to Germany unaccompanied are also taken into care by the youth welfare office. As part of the temporary custody, the Youth Welfare Office checks, among other things, whether there are reasons why the young person should not be transferred to another federal state.

## Erforderliche Unterlagen

### Voraussetzungen

The Youth Welfare Office is entitled and obliged to take a child or young person into its care if

- the child or young person requests custody or
- there is an urgent risk to the welfare of the child or young person that requires the child or young person to be taken into care and the legal guardians do not object or a family court decision cannot be obtained in time or
- a foreign child or young person arrives in Germany unaccompanied and neither the legal guardians nor the legal guardians are present in Germany.

## Kosten

### Verfahrensablauf

When taking a young person into care, the youth welfare office works together with the young person and their legal guardians to clarify how the situation came about and provides them with options for help and support. The youth welfare office mediates in conflicts and - if necessary and helpful - initiates further help. The aim is to achieve the most stable and secure placement possible for the young person, for example in a foster family, in a youth welfare facility or in a supervised shared flat.

Rights and duties during the period of taking into care

The youth welfare office is entitled to temporarily take all legal steps that are necessary for the welfare of the child or young person. This includes supervision, care, education and determining the place of residence.

- The young person has the right to inform a person they trust while they are being taken into care.

**Modul**
**Sachverhalt**

- The employees of the youth welfare office are obliged to inform the person with custody or legal guardianship immediately and to assess the risk of danger with them.
- Depending on their age and stage of development, children and young people are involved in all decisions relating to taking them into care.

## Decision on return to the parents

- If the custodial parents or legal guardians do not agree to the child being taken into care, the youth welfare office must decide whether the child can be handed over to the custodial parents or legal guardians without endangering the child's welfare.
- If this is not the case, the family court must decide what measures are to be taken for the child's welfare.

## End of taking into care

The period of custody ends when the young person is handed over to their legal guardian or legal custodian and a decision is made on the provision of educational support.

**Bearbeitungsdauer**

**Frist** none

**weiterführende Informationen** <https://www.blja.bayern.de/schutz/staatliches-waechteramt/inobhutnahme/index.php>  
<https://www.blja.bayern.de/schutz/staatliches-waechteramt/inobhutnahme/index.php>

**Hinweise**

The best interests of the child include the overall well-being of a child or young person (= minor) and their healthy development. A child's welfare is at risk if a current or at least imminent danger to the child's development is foreseeable, which, if it continues, is almost certain to cause considerable damage to the child's physical, mental or emotional well-being. The law lists the following criteria for endangering a child's welfare

- the abusive exercise of parental care,
- neglect of the child,

Modul	Sachverhalt
	<ul style="list-style-type: none"> <li>• the behavior of a third party,</li> <li>• the inability of the parents and</li> <li>• the prognosis for the future.</li> </ul> <p>If you notice signs of such things in your neighborhood, among your acquaintances or even among your relatives, please seek a direct conversation and let others know that you are worried or that you cannot and will not accept certain actions.</p> <p>If you have the feeling that a direct approach to the parent or guardian will not lead to an improvement in the child's situation, please contact the youth welfare office of the city or district immediately. Your anonymity will be preserved.</p> <p>If you have the feeling that there is an immediate danger, contact the police.</p>
Rechtsbehelf	Contradiction
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal