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Declaration of paternity recognition

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/S1000020010000012457/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99133001000000
Leistungsbezeichnung I	Declaration of paternity recognition
Leistungsbezeichnung II	Declare paternity recognition
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hamburg
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.01.2023

Modul
Sachverhalt
Fachlich freigegeben durch
Handlungsgrundlage

§ 59 Book Eight of the Social Security Code (SGB VIII)
 URL:
https://www.gesetze-im-internet.de/sgb_8/_59.html

Teaser

Do you have or are you going to have a child and the child's father does not want to acknowledge his paternity or is unknown? Then you can get advice and support.

Volltext

If you have a child and are not married to the child's father, the father does not automatically become the child's legal father. In this case, he must voluntarily acknowledge paternity. If the father does not voluntarily acknowledge paternity or it is unclear who the father is, paternity can also be established in court. You can get advice on this. You can also get support in establishing paternity. Once paternity has been established, you can clarify further things: Child maintenance claims Mother's maintenance claims care The child's inheritance rights Granting of the father's name Guardianship You can apply for legal representation to establish paternity. Legal representation is a special form of legal representation for children and young people. The responsible authority can then legally represent the child in the relevant proceedings and thus relieve you of the burden. For example, it can request the father to acknowledge paternity and to obtain the necessary documents, arrange for the judicial clarification of paternity, calculate your child's maintenance claim, regularly review the maintenance claim, draw up a document on maintenance, enforce the maintenance claim in court, collect and monitor maintenance payments, determine the residence and employer of the parent liable to pay maintenance and Enforcement measures initiate. You can apply for guardianship before the child is born if you are not married and have not made any joint custody declarations. After the birth, you can apply for guardianship at any time until the child is of legal age. This does not restrict your custody rights. Terminate guardianship You can end the guardianship at any time by submitting a written declaration. It ends automatically when the child

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	reaches the age of majority. The child can then continue to receive advice and support until their 21st birthday.
Erforderliche Unterlagen	Proof of identity for both parents (ID cards/passports) Proof of the existing pregnancy (one page of the maternity record, certificate from the doctor)
Voraussetzungen	<p>The recognition and consent must be publicly documented. * The recognition of paternity can be submitted to any municipal office, the local court, youth welfare offices and notaries. The recognition does not require receipt and does not require receipt by a specific registry office or other authority to be effective. The ban on improper recognition of paternity applies in accordance with Section 1597a. BGB A recognition of paternity of a child is not effective as long as the paternity of another man exists (blocking effect). Recognition under conditions or a time limit is invalid. There may be no effective revocation by the person acknowledging. Recognition requires the mother's consent. Recognition also requires the consent of the child if the mother is not entitled to parental responsibility. The effectiveness of the declaration of paternity recognition does not depend on the actual parentage relationships; (legal) paternity arises solely through the effective submission of the recognition and all necessary declarations of consent. The acknowledgment of paternity can also be made before the birth of the child. Anyone who has limited legal capacity can only recognize this themselves, but requires the consent of their legal representative. For those who are incapacitated, the legal representative can, with the approval of the family court, recognize; If the legal representative is a guardian, the approval of the guardianship court is required. The same rules apply to the mother's consent. For a child who is legally incompetent or a child who is not yet 14 years old, only the legal representative can agree to the recognition. Acknowledgments or consents cannot be declared by an authorized person.</p>
Kosten	Gebühr: Es fallen keine Kosten an
Verfahrensablauf	The appreciative man declares that he is the father of the child. The notary must check the declaration of

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	<p>recognition in order to prevent ineffective recognition as far as possible. In particular, the following is checked: The identity of the acknowledger, the mother and the child The business capacity of those involved The mother's marital status The notarizing person provides information about the rights and obligations of paternity and the legal consequences of acknowledging paternity. The acknowledgment is publicly certified.</p>
Bearbeitungsdauer	The certification takes approx. 20-30 minutes. In difficult individual cases, e.g. where interpreters are involved or there is a high need for advice, this will take longer.
Frist	The declaration of recognition can be made for an unlimited period of time, even before the birth of the child (prenatal recognition), after the child's death (postmortem recognition) and also for stillborn children.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	none
Kurztext	<p>Paternity determination advice and support Opportunity to receive advice and support in establishing paternity Requirement: paternity is not recognized or the father is unknown If it is determined by a court, the Youth Welfare Office can appoint assistance Support represents the mother Custody remains with the mother responsible: local youth welfare office</p>
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Hamburg Service</p>
Zuständige Stelle	District Office Wandsbek
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link

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is only available in german)