

99133001026000, 99133001026000

# Recognition of paternity

Heruntergeladen am 05.07.2025

<https://fimportal.de/xzufi-services/121417823/L100002>

Modul	Sachverhalt
Leistungsschlüssel	99133001026000, 99133001026000
Leistungsbezeichnung I	Recognition of paternity
Leistungsbezeichnung II	Recognition of paternity
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Nordrhein-Westfalen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Anerkennung Vater-/Mutterschaft (133)
Verrichtungskennung	Beurkundung (026)
SDG-Informationsbereich	Geburt, Sorgerecht für Minderjährige, elterliche Pflichten, Vorschriften für Leihmutterschaft und Adoption, einschließlich Stiefkindadoption, Unterhaltspflichten für Kinder bei grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Nach der Geburt (1010200), Vor der Geburt (1010100)

<b>Modul</b>	<b>Sachverhalt</b>
<b>Einheitlicher Ansprechpartner</b>	Nein
<b>Fachlich freigegeben am</b>	09.10.2020
<b>Fachlich freigegeben durch</b>	Senator for Internal Affairs, Department 23 - Civil Status Law, of the State of Bremen
<b>Handlungsgrundlage</b>	<a href="https://www.gesetze-im-internet.de/pstg/_44.html">https://www.gesetze-im-internet.de/pstg/_44.html</a> <a href="https://www.gesetze-im-internet.de/bgb/BJNR001950896.html">https://www.gesetze-im-internet.de/bgb/BJNR001950896.html</a>
<b>Teaser</b>	If you wish to make a declaration acknowledging paternity of a child and a declaration of consent by the mother, this can be publicly notarized at any registry office, youth welfare office or notary's office.
<b>Volltext</b>	<p>A declaration acknowledging paternity of a child and the mother's declaration of consent can be notarized at any registry office, youth welfare office or notary's office. Paternity can be recognized effectively if there is no paternity of another man to this child. The acknowledgment of paternity and the mother's declaration of consent are notarized in public form.</p> <p>Recognition of paternity is possible even before the child is born.</p> <p>Under German law, the woman who gave birth to the child is the mother of the child. Recognition of maternity is generally not required. If recognition of maternity or a declaration of consent by a legal representative is required, these must also be notarized by a registry office, the youth welfare office or a notary's office.</p> <p>If the mother's or father's home country law requires recognition of maternity, this can also be notarized. The same rules apply as for acknowledgment of paternity.</p>
<b>Erforderliche Unterlagen</b>	Proof of identity (e.g. identity card, passport, ID card)
<b>Voraussetzungen</b>	<ul style="list-style-type: none"> <li>• The acknowledgement and consent must be publicly notarized.</li> <li>• The acknowledgement of paternity can be submitted</li> </ul>

## Modul

## Sachverhalt

to any municipal office, youth welfare office or notary's office.

- The acknowledgment is not subject to receipt and does not require acceptance by a specific registry office or other authority to be effective.
- The prohibition of abusive acknowledgement of paternity pursuant to § 1597a applies. BGB
- Recognition of paternity of a child is not effective as long as the paternity of another man exists (blocking effect).
- Recognition subject to a condition or time limit is ineffective.
- There must be no effective revocation by the acknowledging party.
- Recognition requires the consent of the mother.
- Recognition also requires the consent of the child if the mother is not entitled to parental custody in this respect.
- The effectiveness of the declaration of acknowledgment of paternity is not dependent on the actual parentage relationship; (legal) paternity is established solely through the effective submission of the declaration of acknowledgment and all necessary declarations of consent. Paternity can also be acknowledged before the child is born.
- Anyone with limited legal capacity can only acknowledge paternity themselves, but requires the consent of their legal representative. In the case of legally incompetent persons, the legal representative can acknowledge with the approval of the family court; if the legal representative is a guardian, the approval of the guardianship court is required.
- The same regulations apply to the mother's consent.
- For a legally incompetent child or a child who is not yet 14 years old, only the legal representative can consent to the acknowledgment.
- Acknowledgements or consents cannot be declared by an authorized person.

## Kosten

Recognition of paternity and declarations of consent are free of charge.

If necessary, EUR 30 for the affirmation in lieu of an oath by an interpreter.

Modul	Sachverhalt
Verfahrensablauf	<p>The acknowledgment of paternity and the declaration of consent can be submitted at any municipal office, youth welfare office or notary's office.</p> <ul style="list-style-type: none"> <li>• The acknowledging man declares that he is the father of the child.</li> <li>• The registrar must check the declaration of acknowledgment in order to prevent ineffective acknowledgments as far as possible.</li> </ul> <p>In particular, the following is checked</p> <ul style="list-style-type: none"> <li>• The identity of the acknowledging party, the mother and the child</li> <li>• The legal capacity of the parties involved</li> <li>• Any previous status determinations</li> <li>• The registrar clarifies the legal consequences of the name.</li> <li>• The recognition is publicly notarized</li> </ul>
Bearbeitungsdauer	<ul style="list-style-type: none"> <li>• Depending on the individual case</li> </ul>
Frist	<p>The declaration of recognition can be made for an unlimited period of time, even before the birth of the child (prenatal recognition) and after the child's death (post-mortem recognition), as well as for stillborn children.</p>
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> <li>• Objection</li> <li>• Contestation</li> <li>• Declaratory proceedings</li> </ul>
Kurztext	<ul style="list-style-type: none"> <li>• The acknowledgement of paternity is notarized in public form.</li> <li>• Paternity can be recognized effectively if there is no paternity of another man to this child.</li> <li>• Paternity can be acknowledged even before the child is born.</li> <li>• Responsible: Registry offices, youth welfare offices and notary's offices.</li> </ul>

Modul	Sachverhalt
Ansprechpunkt	<ul style="list-style-type: none"> <li>• Youth welfare offices</li> <li>• Notaries</li> <li>• registry offices</li> </ul>
Zuständige Stelle	<ul style="list-style-type: none"> <li>• Youth welfare offices</li> <li>• Notaries</li> <li>• registry offices</li> </ul>
Formulare	
Ursprungsportal	Vaterschaftsanerkennung, Recognition of paternity