

99013007026000, 99013007026000

Giving the father's consent to the adoption of a child

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/393077036/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99013007026000, 99013007026000
Leistungsbezeichnung I	Giving the father's consent to the adoption of a child
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
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

Modul	Sachverhalt
	grenzüberschreitenden familiären Gegebenheiten
Lagen Portalverbund	Adoption und Pflegekinder (1020100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.02.2021
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 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 are not married to the mother, you can refrain from applying for parental authority after the birth of the child.
Volltext	<p>In order for a child to be given up for adoption, the consent of both parents is required. As a rule, this consent can only be given eight weeks after the birth of the child.</p> <p>If the mother is not married, you as a father, if you are not entitled to custody, can give consent to adoption even before the birth of the child. This consent must be notarized. The consent to an 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, which supplements the consent, must be certified "publicly". "Public" means that the declaration can also be notarized. However, the declaration can also be certified (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 waiver, you will be informed about the legal consequences and effects of the notarization before notarization.</p>

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Erforderliche Unterlagen	<p>Proof of identity (identity card, passport or comparable document)</p> <ul style="list-style-type: none"> • Proof of paternity (birth certificate of the child, either with entry of the father or declaration of recognition of the father plus confirmation of paternity by the mother)
Voraussetzungen	<p>You must be the father of the child. If paternity has not yet been legally established, you must be able to credibly demonstrate that you are the father of the child. For example, the mother might confirm that only you can be considered as the father of the child.</p>
Kosten	<p>Notarial certification costs are incurred in accordance with the applicable fee schedule. The exact amount of the costs can be communicated to you by the notary's office before notarization. The public certification of the waiver before the notary of a youth welfare office is free of charge.</p>
Verfahrensablauf	<ul style="list-style-type: none"> • You must prove that you are the father of the child. A birth certificate of the child in which you are registered as a father can serve as proof. If the child has not yet been born, you must make it credible that you are the father of the child (see Requirements). The same applies if your paternity has not yet been legally established after the birth of the child. • The person who takes up the document will inform you about the legal effect of the document. • An appointment is required for notarization in the Youth Welfare Office. • The certificate is then sent to the family court. The consent or waiver becomes effective as soon as the document has been received by the family court. Both consent and waiver are irrevocable. This means that even if you change your mind, you cannot withdraw from the notarized declarations.
Bearbeitungsdauer	<p>The necessary legal instructions and questions, which you may wish to clarify before notarization, require a time expenditure that is different in each individual case. In addition, there is a possible waiting time on site. It is advisable to make an appointment for the notarization.</p>

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Frist	A waiver of the transfer of custody can be notarized by the father who is not married to the mother only after the birth of the child. On the other hand, the father who is not married to the mother and has no custody can have his consent to the adoption certified before the birth of the child. Otherwise, mother and father – separately or together – can give notarial consent to the adoption of their child at the earliest eight weeks after birth.
weiterführende Informationen	
Hinweise	<p>Consent to adoption must be notarized (i.e. by a notary).</p> <p>The waiver must be publicly notarized. This is also possible in a notary's office, but also, for example, in a youth welfare office.</p>
Rechtsbehelf	None
Kurztext	<ul style="list-style-type: none"> • Declaration by which the father waives the transfer of custody Notarization • Approval for adoption requires the consent of both parents. This can only be delivered eight weeks after the birth of the child. • If the parents are not married to each other, the non-custodial father of the child (or the man who credibly claims to be the father of the child) can give his consent even before the birth of the child. • The father may also refrain from transferring parental care of the child to him by declaration. • The adoption office of the locally responsible youth welfare office is responsible
Ansprechpunkt	Contact the Youth Welfare Office.
Zuständige Stelle	
Formulare	None
Ursprungsportal	Giving the father's consent to the adoption of a child, Einwilligung des Vaters in die Adoption eines Kindes abgeben