

Consent of the father to the adoption of a child

If you want to give your child up for adoption and you are not married to the mother, you can refrain from filing a petition to transfer parental care to yourself after the child is born.

Competent Department

- [Adoptionsstelle Bremen](#)

Basic information

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.

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.

In addition, the father can make a declaration that he will not apply for parental care of the child. This declaration supplementing the consent 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.

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.

Requirements

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.

For example, the mother could confirm that only you can be considered as the child's father.

What documents do I need?

- Proof of identity

Identity must be proven for the certification. You must therefore be able to identify yourself with an ID card, passport or comparable documents.

- Proof of paternity

Birth certificate of the child, either with father's entry or father's acknowledgment plus mother's confirmation of paternity.

Procedure

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.

The person recording the deed will inform you about the legal effect of the deed.

An appointment is required for the notarization at the Youth Welfare Office.

The certificate is then sent to the family court. The consent or waiver becomes effective as soon as the deed is received by the family court.

Both the consent and the waiver are irrevocable. This means that even if you change your mind, you cannot withdraw from the notarized declarations.

Legal bases

- [§ 1747 BGB](#)

More information

The consent to the adoption must be notarized (i.e. by a notary public).

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.

What deadlines must be paid attention to?

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.

How long does it take to process

The necessary legal instructions and questions that 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.

What are the costs?

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. The public notarization of the waiver before the notary of a youth welfare office is free of charge.