

Claiming child support in a faster, simpler court process

For a minor child of separated parents, reasonable maintenance may be required from the dependent party.

Competent Department

- [Amtsgericht Bremen](#)
- [Amtsgericht Bremen-Blumenthal](#)
- [Amtsgericht Bremerhaven](#)

Basic information

Maintenance for a minor child of separated - married or unmarried - parents can be claimed by the maintenance obligor at the family court in a regular (contentious) or also in a simplified maintenance procedure. The simplified procedure must be applied for using a form. It can lead to an enforcement order (maintenance determination order) more quickly and cost-effectively than contentious maintenance proceedings.

You can ask staff at the Youth Welfare Office or a lawyer for advice on whether this form of procedure is suitable in your case.

Requirements

Prerequisites for the simplified procedure of alimony determination are:

- The maintenance in question is
 - for a minor child or
 - for an adult child for the past period of minority.
- No court has already ruled on the child support claim or no judicial child support proceedings have yet been initiated with the court.
- There is not yet an enforceable maintenance title (e.g. a Jugendamt certificate).
- The requested maintenance for the child is not higher than 1.2 times the minimum maintenance.

You are entitled to assert the claim for maintenance as a

- custodial parent with whom the minor child lives, or
- person or entity legally representing the child.

What documents do I need?

- For the applicant(s):
 - The form "Antrag auf Festsetzung von Unterhalt nach § 249 FamFG (Vereinfachtes Verfahren)" - available at the youth welfare office or at any local court.
 - A statement of income and financial circumstances of the child and parents (if known).
 - Any proofs and supporting documents about the income situation.
- For the Respondent(s):
 - Objection form - available from the district court.
 - Corresponding evidence and supporting documents.

Procedure

You must submit the application using the application form, which can be obtained from the youth welfare office or the local court. The form is also available for download.

- You make the application as the authorized person
 - either in your own name for the child
 - if you are married to the other parent and you live separately or
 - a matrimonial case is pending between you.
 - or in the name of the child as its legal representative.
- You submit the completed and signed application, along with the necessary supporting documents, to your local family court at the district court.
- The court will notify the respondent in writing that a child support order has been filed.
- The person liable for maintenance is given the opportunity to raise objections within one month:
 - The law provides only under narrow conditions that objections of the defendant are considered in the simplified maintenance proceedings.
- For clarification purposes, the defendant must disclose his or her income and financial circumstances:
 - Encloses appropriate supporting documents.
 - Declares the extent to which he or she is willing to pay maintenance.
- The court will inform you of any objections and the information provided.
- If the respondent declares his or her willingness to pay maintenance in whole or in part, or raises no objections or only inadmissible objections, the court will set the maintenance accordingly by order.
- Note: Otherwise, the simplified proceedings have failed and will be transferred to the contentious proceedings upon application.

Legal bases

- [§ 112 Nr. 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\) für Familienstreitsachen](#)
- [§§ 1601 ff. Bürgerliches Gesetzbuch \(BGB\)](#)
- [§ 111 Nr. 8 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\) für Familienstreitsachen](#)
- [§ 113 Abs. 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\) für Familienstreitsachen](#)

- [§ 114 Abs. 1 Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\) für Familienstreitsachen](#)
- [§§ 249 ff. Gesetz über das Verfahren in Familiensachen und in den Angelegenheiten der freiwilligen Gerichtsbarkeit \(FamFG\)](#)

What deadlines must be paid attention to?

Maintenance can only be determined for or from the time the child is a minor; maintenance for the past can only be demanded under certain conditions.

How long does it take to process

Usually about two months, depending on the individual case.

What are the costs?

- Legal costs
- Lawyer's fees

Both are based on the amount in dispute.