

# apply for maintenance advance

You are a single parent and receive no or irregular maintenance from the other parent for your child? Then you can apply for advance maintenance payments.

## Competent Department

- [Unterhaltsvorschussstelle](#)

## Basic information

Advance maintenance payments are a state benefit for children of single parents. It helps to secure the financial basis of your child's life if the other parent does not pay maintenance, only pays part of it or does not pay it regularly.

You must raise the child in your household without the other parent. The child's center of life must clearly be in your household. You must not have married a new partner.

If all requirements are met, the maintenance advance will be paid to you until your child reaches the age of majority.

The amount of the maintenance advance is based on the minimum maintenance amount.

Since 01.01.2024, the following amounts apply

- for children up to 5 years EUR 230 per month
- for children from 6 to 11 years EUR 301 per month
- for children from 12 to 18 years EUR 395 per month

After the age of 12, your child is only entitled to maintenance under further conditions, see section "Conditions".

## Requirements

In principle, children who meet the following requirements are eligible:

- The child has not yet reached the age of 18
- and
- The child lives with only one parent in a joint household, and
- The child does not receive child support or alimony from the other parent, or
- The child receives child support payments that are less than the prevailing statutory child support advance rate.

If the child has reached the age of 12, the following rules apply:

- The child does not receive benefits for basic security under the Second Social Code (SGB II) from the Bremen Job Center. Or:
- The child receives benefits for basic security according to the Second Social Code (SGB II) from the Jobcenter Bremen and at the same time the single parent earns an income of at least €600.00 per month.
- Or: Due to the granting of the advance on maintenance payments, the child is no longer dependent on basic security benefits (cessation of need for assistance). This also applies if the single parent has an income of less than 600.00 € per month.

Children with foreign citizenship can also receive advance maintenance payments under certain conditions. Eligibility is checked on a case-by-case basis. Requirements for the child or single parent (examples):

- Citizenship of an EU country
- Citizenship of Switzerland
- Possession of a settlement permit
- Possession of an EU Blue Card
- ICT card
- Residence title according to § 1 para. 2a UhVorschG.

## **What documents do I need?**

- birth certificate of the child
- Identity card or passport
- Supporting titles

If available: Maintenance certificate, court order - judgment or proof of service of the maintenance claim.

- Indemnification agreement

If available.

- Proof of the time of separation

If you are married but live permanently separated from your spouse because the continuation of the marital partnership is refused by one of the spouses.

Example: Confirmation from your lawyer.

- Valid residence permit

In case of foreign citizenship. With additional sheet, if necessary.

- Acknowledgement of paternity

If you are not or were not married: Deed, order or judgment.

- Divorce decree or judgment

If you are divorced.

- (Reminder) letter

If available: (Dunning) letters in connection with the assertion of child support claims.

- Child support decision
- Evidence of the child's income from property and work

If available: for example, income from interest, work, or educational remuneration of the child.

## Procedure

You can apply for advance maintenance payments via the online service or in paper form.

### Online service

- The online service guides you through the application step by step .
- You can submit the required documents digitally.
- You can temporarily store your entries for 30 days.
- You need a service account to complete and submit the online application. If you do not yet have a service account, you can register for one. You can do this during the online application process.
- You will receive the notice by mail.

### Paper form

- You can find the application to print out here in the service portal under "Forms" or on site at the responsible office in paper form.
- Fill out the application.
- Attach a copy of the required documents to the application.
- Send everything by mail or hand in the documents on site. The completed application should be delivered to the competent office.
- You will receive the decision by mail.

## Legal bases

- [Unterhaltsvorschussgesetz \(UhVorschG\)](#)

## More information

### Appeal

- You can appeal against the decision. You can file an appeal with the Office for Social Services.
- The objection must be filed within 1 month in writing, in electronic form or in writing.

## Advance

- If the other parent would be able to pay the child support, this is an advance on the child support, which the child support advance office recovers from the parent who is actually obliged to pay the child support.

## Asylum procedure

- With a residence permit (i.e. during an asylum procedure), you cannot receive an advance on maintenance for your child.

## Toleration

- If you are staying in Germany with a Duldung (tolerated stay), you also cannot receive advance maintenance payments for your child.
- Exception: With an employment toleration you can receive maintenance advance.

## What deadlines must be paid attention to?

As a rule, the advance on maintenance payments is granted from the date of application. The advance on maintenance payments can be granted retroactively for the 1st month. For this purpose, the requirements must be met and a request for payment of maintenance must be proven.

## How long does it take to process

The duration of the processing depends on the respective personnel and work situation of the responsible offices.

## What are the costs?

The procedure is free of charge.

## Frequently asked Questions

- **I have not received my advance child support payment. What could be the reason for this?**

Perhaps you did not return the annual review form. Perhaps your child has turned 12 (change of age group).

In any case, contact the person in charge of your case.

- **At what time are the child support advance payments directed?**

Advance maintenance payments are instructed on the 1st of the month.

- **When is there no entitlement or does the entitlement to advance maintenance payments end?**

There is no entitlement to advance maintenance payments in the following cases:

- Both parents live in domestic community.
- The parent with whom the child lives is married to someone else.
- The parent with whom the child lives is in a registered same-sex partnership.
- The child has his or her center of life with both parents.
- The child is no longer cared for by one parent, but lives in a home, boarding school or foster home (day and night) and the child receives benefits from child and youth welfare services in accordance with Book Eight of the Social Code (SGB VIII).
- The child has income from assets or income in a sufficient amount (for example, alimony, half-orphan's pension, training allowance, earned income).
- The parent with whom the child lives refuses to provide the information required to implement the law and to submit the requested evidence.
- The mother is not married to the father and does not assist in establishing paternity.
- The other parent has satisfied the child support obligation by prepayment.
- The other parent is released from the child support obligation by court or out-of-court settlement.
- If the parents have 2 or more children in common: At least one of the children lives with the other parent and the parent provides for that child.

- **How much is the advance on maintenance payments?**

The amount of benefit is based on the statutory minimum maintenance within the meaning of the German Civil Code (§ 1612a para. 1 sentence 3 no. 1 or 2 BGB).

The amount of the minimum maintenance depends on the age of the children (as of 01.01.2024)

- Age group 1 for children aged 0-5 years: 480 EURO per month
- Age group 2 for children aged 6-11: 551 EURO per month
- Age group 3 for children aged 12-17: 645 EURO per month
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The child benefit payable for a first child is generally deducted from the statutory minimum maintenance in the respective age bracket (currently EUR 250 per month).

This generally results in the following monthly benefit amounts:

- Age group 1 for children aged 0-5: 230 EURO per month
- Age group 2 for children aged 6-11: 301 EURO per month
- Age group 3 for children aged 12-17: EUR 395 per month
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If the eligibility requirements are only met for part of a month, the maintenance advance is paid on a pro rata basis. Maintenance payments of less than EUR 5 per month are not paid.

- **From when and for what period is the maintenance advance paid?**

The entitlement begins at the earliest with the birth of the child and ends at the latest when the child reaches the age of 18.

Advance maintenance payments may be made retroactively for the calendar month preceding the month of application. In this case, the necessary requirements must be met. In addition, the applying parent must prove that he/she has made reasonable efforts to obtain maintenance from the other parent.

- **What happens when my circumstances change?**

If you are receiving advance maintenance payments, you must notify the competent authority of all important changes (notification obligations according to § 6 UhVorschG, see also No. 7 of the information sheet). You must do this within 14 days.

An intentional or negligent breach of these obligations is a misdemeanor and may be prosecuted or fined. In addition, benefits paid may be reclaimed.

Significant changes are circumstances that affect benefits. Examples:

- The single parent marries, even if the spouse is not the child's parent.
- The single parent moves in with the other parent.
- The child no longer lives with the single parent or no longer lives with the single parent to the extent required.
- The child or the single parent moves alone or together (including abroad).
- The extent of the child's care is increased by the other parent (not only slightly).
- Another joint child moves in with the other parent.
- The child is no longer cared for by one parent, but is looked after in a home, boarding school or foster home (day and night). The child's needs are covered by child and youth welfare benefits according to Book 8 of the Social Code (SGB VIII).
- Paternity is subsequently established for the child.
- The other parent is released from the obligation to pay child support by court/out-of-court settlement.
- The other parent pays child support.
- Child support is garnished
- A child support order has been created.
- An attorney/advocate has been retained to enforce the child support order or an attorney/advocate is to be retained.
- The child begins vocational training.
- The child no longer attends a general education school.
- The child earns his/her own income from assets and/or work.
- The previously unknown whereabouts of the other parent become known.
- The other parent will perform voluntary military service.
- Half-orphan's pension has been applied for or granted for the child.
- The other parent or the eligible child is deceased.

- **When does the advance on maintenance payments have to be repaid?**

Advance maintenance payments must be replaced or repaid in the following cases:

- False information was provided intentionally or negligently when the application was submitted.
- The notification obligations were violated after filing the application (according to § 6 UhVorschG, see also no. 7 of the information sheet).
- After filing the application, the child earns income that would have to be taken into account when calculating the benefits. This includes alimony payments from the other parent, who may make them voluntarily after becoming aware of the application for advance alimony benefits.
- The child moves in with the other parent and is not informed of this.

- **Does advance maintenance payment affect other social benefits?**

Advance maintenance payments are part of the income intended to cover the child's living expenses. It is therefore counted as income for the child. For example, in the case of assistance for living expenses according to the Twelfth Book of the German Social Code (SGB XII) and/or benefits from the job center according to the Second Book of the German Social Code (SGB II).

- **What happens legally to the maintenance claims against the other parent?**

If advance maintenance payments are made to a child, the maintenance claims against the other parent are transferred to the Free Hanseatic City of Bremen. The maintenance claims then correspond to the amount of the benefits granted and also include claims to corresponding orphan's benefits.

The parent liable to pay maintenance is ordered to repay the advance on maintenance. The benefits are advance maintenance payments granted in advance.

- **Who will help if there are other child support claims?**

If further maintenance claims of the child are to be asserted against the other parent, the specialist service "Beistandschaft/Unterhalt für Minderjährige" of the Office for Social Services will be happy to advise and support you.