

2.6.4 Involvement in family court proceedings in cases of separation/divorce involving parents of underage children

Aim:
to ensure child welfare in conflictual
separation/divorce proceedings

“Facilitation of agreement” in parental conflicts (Section 156 FamFG)

Role of the youth welfare office

Article 50 of Book 8 of the Social Code:
Involvement in family court proceedings involving children

- Counselling and support for parents
- Preparation for court appearances
- Submission of expert opinions on socio-educational aspects of the case

Role of the family court

Section 162 FamFG *Cooperation of the Youth Welfare Office: In proceedings that concern the person of the child, the court shall hear the Youth Welfare Office.*

- Involvement/hearing of the youth welfare office
- De-escalation and dispute resolution: joint agreements and settlements
- Assessment of child welfare
- Appointment of a guardian ad litem for children (by default)
- Decisions on custody/visitation rights

Cooperation with and involvement of persons with custodial rights, children and adolescents (e.g., through hearings or a guardian *ad litem*)

Involvement of further persons and/or institutions, e.g., child guidance office (where required)