

**First meeting of the Special Commission on the practical operation of the
 2007 Child Support Convention and on the 2007 Maintenance Obligations Protocol
 - June 2020 (tentative)**

Document	Preliminary Document <input checked="" type="checkbox"/> Information Document <input type="checkbox"/>	No 1 of August 2019
Title	Questionnaire on the practical operation of the <i>Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance</i>	
Author	Permanent Bureau	
Agenda item		
Mandate(s)	C&R No 28 of the March 2019 meeting of the Council on General Affairs and Policy	
Objective	<ul style="list-style-type: none"> - To seek information as to the implementation and practical operation of the 2007 Convention in Contracting Parties, including procedures that have been established to implement the Convention, the extent of co-operation between Contracting Parties, and the types of assistance provided to individuals; - To identify challenges or questions that have arisen and good practices regarding the practical operation of the 2007 Convention; and - To obtain views and comments on priority topics, including possible future work, for discussion at the upcoming meeting of the Special Commission. 	
Action to be taken	For Approval <input type="checkbox"/> For Decision <input type="checkbox"/> For Information <input type="checkbox"/> For Action <input checked="" type="checkbox"/>	
Annexes	n.a.	
Related documents	Prel. Doc. No 2 of August 2019 - Questionnaire on the practical operation of the <i>Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations</i>	

Objectives of the Questionnaire

This Questionnaire is being circulated in preparation for a possible meeting of the Special Commission on the practical operation of the *HCCH Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance* (hereinafter, the “2007 Convention”) and the *HCCH Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations* (hereinafter, the “2007 Protocol”), tentatively to be held in The Hague in June 2020 (dates to be confirmed). The Questionnaire focuses on the 2007 Convention; another Questionnaire will focus on the 2007 Protocol.

This Questionnaire is addressed primarily to Contracting Parties to the 2007 Convention, but certain questions (so marked) are also addressed to non-Contracting Parties (*e.g.*, Contracting Parties to the United Nations Convention on the Recovery Abroad of Maintenance concluded in New York on 20 June 1956 (hereinafter, the “1956 Convention”). The Questionnaire has the following broad objectives:

- a. To seek information as to the implementation and practical operation of the 2007 Convention in Contracting Parties, including procedures that have been established to implement the Convention, the extent of co-operation between Contracting Parties, and the types of assistance provided to individuals;
- b. To identify challenges or questions that have arisen and good practices regarding the practical operation of the 2007 Convention; and
- c. To obtain views and comments on priority topics, including possible future work, for discussion at the upcoming meeting of the Special Commission.

The Questionnaire is designed to facilitate an efficient exchange of information on these matters prior to the meeting of the Special Commission and assist with the drawing up of an agenda for the meeting.

Scope of the Questionnaire

The Questionnaire covers these topics:

- Statistics
- Operational issues
- Access to information
- Enforcement issues
- Feedback on the use of the mandatory and recommended forms
- Possible additional forms
- Country profile
- Possible additional tools
- Translation of documents and dissemination of information
- Training and training material
- Joining the 2007 Convention
- iSupport
- General

In considering the questions that follow, States may find it useful to refer in particular to the following resources:

- The text of the 2007 Convention¹

¹ The text of the 2007 Convention is available at: < <https://assets.hcch.net/docs/14e71887-0090-47a3-9c49-d438eb601b47.pdf> >.

- The Explanatory Report² (Borras and Degeling) on the 2007 Convention
- The Recommended Forms³ under the 2007 Convention
- The Practical Handbook for Case Workers⁴ under the 2007 Convention
- The Practical Handbook for Competent Authorities⁵ on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol
- The Country Profile⁶ for the 2007 Convention
- The Implementation Checklist⁷ for the 2007 Convention

Instructions for completion

The Questionnaire is being sent to Central Authorities as well as National and Contact Organs. Central Authorities asked to co-ordinate as appropriate between themselves and other competent authorities. For Contracting Parties to the Convention, Central Authorities are ultimately responsible for submitting the completed questionnaire to the Permanent Bureau (PB).

In order to allow the PB to extract parts of the Questionnaire for a compilation and analysis of the responses, please use **this Word Version** of the document, and please **do not return a PDF version** of the completed Questionnaire.

We kindly request that replies to the Questionnaire be sent to the PB by e-mail to < secretariat@hcch.net > **no later than 30 November 2019** with the following subject matter captioned in the heading of the e-mail: “[name of State] Response to the 2007 Convention Questionnaire – 2020 Special Commission”. Any questions concerning the Questionnaire may be directed to < secretariat@hcch.net >.

We intend, except where expressly asked not to do so, to place all replies to the Questionnaire on the HCCH website (www.hcch.net). Please therefore clearly identify any responses which you do not want to be placed on the website.

Thank you for your kind co-operation as the PB prepares for the meeting of the Special Commission in 2020.

² The Explanatory Report is available at: < <http://assets.hcch.net/docs/09cfaa7e-30c4-4262-84d3-daf9af6c2a84.pdf> >.

³ The 2007 Convention Recommended Forms are available at: < <https://assets.hcch.net/docs/7b1c5829-81a6-46f5-902e-d59b572dff8a.pdf> >.

⁴ The Practical Handbook for Case Workers on the 2007 Convention is available at: < <https://assets.hcch.net/docs/5f160c92-b560-4b7f-b64c-8423f56c6292.pdf> >.

⁵ The Practical Handbook for Competent Authorities on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol is available at: < <https://assets.hcch.net/docs/b4c58880-8e8a-41a4-a52e-6597e1a08b42.pdf> >.

⁶ The Country Profile for the 2007 Convention is available at: < <https://assets.hcch.net/docs/7a6a8da3-4a7f-4367-89d6-f96e1e32c299.pdf> >.

⁷ The Implementation Checklist for the 2007 Convention is available at: < <https://assets.hcch.net/docs/231f2415-e12b-4bd6-8f85-9f1fc25d2658.pdf> >.

**QUESTIONNAIRE ON THE PRACTICAL OPERATION OF THE
CONVENTION OF 23 NOVEMBER 2007 ON THE INTERNATIONAL RECOVERY
OF CHILD SUPPORT AND OTHER FORMS OF FAMILY MAINTENANCE**

Wherever your replies to this Questionnaire make reference to domestic legislation, rules, guidance or case law relating to the practical operation of the 2007 Convention, **please provide a copy of the referenced documentation** in (a) the original language and, (b) wherever possible, accompanied by a translation into English and / or French.

Name of State or territorial unit:^[1]	Germany
<i>For follow-up purposes</i>	
Name of contact person:	
Name of Authority / Office:	Bundesamt für Justiz/ Federal Office of Justice (Central Authority)
Telephone number:	
E-mail address:	auslandsunterhalt@bfj.bund.de

Please note:

- Contracting Parties to the 2007 Convention are requested to complete ALL sections below.
- Non-Contracting Parties to the 2007 Convention are requested to complete those sections marked with an asterisk (*).

1. Statistics under the 2007 Convention

1.1. How many active cases is your Central Authority handling at this moment under the 2007 Convention?

Outgoing cases:

722

Incoming cases:

211

1.2. How many new cases (outgoing and incoming) were added to your caseload under the 2007 Convention each year during the last three years?

Last year:

outgoing: 356 incoming: 86

Prior year:

outgoing: 210 incoming: 89

Prior year:

outgoing: 4 incoming: 19

Please specify the reference period for these statistics, *i.e.*, whether a calendar or fiscal year, and if the latter, the starting and ending dates:

^[1] The term "State" in this Questionnaire includes a territorial unit, where relevant.

Calendar year

Fiscal year:

starting:

Please insert text here

ending:

Please insert text here

1.3. How many requests for specific measures (Art. 7) has your Central Authority handled during the past 12 months?

Outgoing requests for specific measures:

Since the beginning of 2019: 595 (2018: 436) [a statistical evaluation for the past 12 months is not possible with the German CAs system; statistics can only be provided as per calendar year]

Incoming requests for specific measures:

Since the beginning of 2019: 54 (2018: 62)

1.4. How many full-time employees (FTEs) are working in your Central Authority?

The German CA is not only responsible for cases under the Hague Convention of 2007, but also under all other international instruments regarding the recovery of cross-border maintenance (as well as cases of formal reciprocity/bilateral agreements with Canada (except Québec & Nunavut) and South Africa - and formerly also the United States until their ratification of the Hague Maintenance Convention). An allocation of the around 70 FTEs to the different instruments ist not possible. All incoming and outgoing cases are handled by the German CA from the beginning until they are closed. This includes not only communication with the parties and the requesting CA but also litigation of maintenance cases in court and enforcement of decisions as well as processing and supervising payments.

1.5. Please identify the countries that are your State's main partners in international child support cases under the 2007 Convention:

USA

2. Statistics under the 1956 Convention, regional instruments and bilateral arrangements*

2.1. How many active cases is your State handling at this moment under international instruments other than the 2007 Convention?

Outgoing cases:

UN Convention: 588

EU Regulation: 1,406

formal reciprocity/ bilateral agreements: 23

Incoming cases:

UN Convention: 1,860

EU Regulation: 5,264

formal reciprocity/bilateral agreements: 40

2.2. How many new cases (outgoing and incoming) were added to your caseload under international instruments other than the 2007 Convention each year during the last three years?

Last year:

UN Convention: 99 (outgoing), 166 (incoming)

EU Regulation: 311 (outgoing), 1,077 (incoming)

formal reciprocity (South Africa + Canada (except Québec & Nunavut)): 3 (outgoing), 9 (incoming)

Prior year:

UN Convention:	94 (outgoing),	106 (incoming)
EU Regulation:	321 (outgoing),	1,165 (incoming)
formal reciprocity (South Africa + Canada (except Québec & Nunavut):		4 (outgoing), 9 (incoming)

Prior year:

UN Convention:	133 (outgoing),	130 (incoming)
EU Regulation:	345 (outgoing),	1,167 (incoming)
formal reciprocity (South Africa + Canada (except Québec & Nunavut):		3 (outgoing), 8 (incoming)

Please specify the reference period for these statistics, *i.e.*, whether a calendar or fiscal year, and if the latter, the starting and ending dates:

Calendar year

Fiscal year

starting:

[Please insert text here](#)

ending:

[Please insert text here](#)

2.3. How many full-time employees (FTEs) are working in your Central Authority / Transmitting Agency / Receiving Agency under these other international instruments?

[see 1.4](#)

2.4. Please identify the countries that are your State's main partners in international child support cases under the 1956 Convention, regional instruments or bilateral arrangements:

[Switzerland \(UN Convention\)](#)

[Poland, Austria \(EU Regulation\)](#)

3. Operational issues

3.1. Are acknowledgments of receipt received within the required timeframe?

Always

Almost always

Half the time

Rarely

Never

3.2. Has your State encountered interpretation difficulties with regard to the term "residence" (Art. 9), which is broader than "habitual residence"?

No

Yes, please explain:

[Difficulties arise in certain constellations, i.e. child abduction, \(minor\) creditor studying abroad for a limited period of time while the custodial parent stays in a different State \(especially problematic when only one of those States is a member to the Hague Convention\), creditor with two equal residences.](#)

If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

[The Central Authority tries to communicate with the other Central Authority and the parties to the case to find the best solution depending on the individual circumstances.](#)

3.3. Has your State encountered problems with regard to applications made in the name of the child by a parent?

No

Yes, please explain:

- In some States applications made in the name of the child by a parent are uncommon since domestic law provides that only the custodial parent is entitled to make an application .

- If there are indications as to a lack of power of representation (e.g. in cases of child abduction and conflicting custody decisions), the Central Authority might request documents that can be used to prove it in the proceedings.

Do the problems concern lack of information in the relevant Country Profile?

Yes

No

Do the problems concern lack of clarity in the relevant Forms?

Yes

No

3.4. Has your State encountered problems with regard to a public body acting in place of an individual to whom maintenance is owed or a public body to which reimbursement is owed for benefits provided in place of maintenance (Art. 36)?

No

Yes, please explain:

- A request for preliminary ruling is currently pending at the ECJ concerning the jurisdiction according to Art. 3 letter b) of Regulation (EC) 4/2009 (ECJ, C-540/19). According to the Borrás/Degeling report, § 591 "it was evident that public bodies would rarely, if ever, need to establish or modify a decision in a requested state" - thus it may be assumed that the public bodies can rely on Art. 3 letter b) of Regulation (EC) Nr. 4/2009. If the ECJ nevertheless denies the applicability of said Article for public bodies, it might be desirable to grant public bodies their own right to apply for establishment of a decision through the Central Authorities.

- When public bodies apply for enforcement of a decision it would be helpful to provide a form attesting in accordance with Art. 36 (4) that the conditions are met (see. 7.5) - especially outlining the legal grounds of the right to act in place of an individual to whom maintenance is owed or to seek reimbursement of benefits provided to the creditor in place of maintenance, the amount of benefits provided, the duration for which benefits are/were provided. These aspects are required in order to declare a decision that was made in favour of the child to be enforceable for the public body and therefore to finally enforce it in favour of the public body.

3.5. Has your State encountered problems with regard to a person 21 years or older seeking to obtain legal aid for the recovery of maintenance arrears that accrued before the child turned 21?

No

Yes, please explain:

There have been problems with regard to the scope of Art. 15 (1) because legal aid was refused to persons 21 years old or older, even though the application only concerned maintenance arrears that were accrued before the child had turned 21. A clearer wording of the provision might help to avoid these problems.

Moreover, other Central Authorities even have denied the applicability of the Convention after that point taking the position that according to Art. 2 the convention is only applicable to creditors younger than 21 (even though only maintenance arrears that were accrued before the child had turned 21 were in question).

3.6. Does your State provide legal aid to public bodies acting on behalf of the applicant (child)?

- No
 Yes

If yes, please explain if this has involved difficulties:

Public bodies can apply for legal aid under Art. 15.

3.7. Is the caseload in your Central Authority divided by regions or other case characteristics in order to promote a specialisation of case workers?

- No
 Yes, please explain:

The German CA has two specialized subdivisions in which the cases are allocated to the different case workers by country/geographic regions. Additionally, a third subdivision is responsible for administrative issues and the processing of payments.

3.8. Has your State encountered any other operational issues with respect to the processing of cases?

- No
 Yes, please explain:

- In order to ensure a swift handling of cases dedicated/specialized contacts would be desirable. The German CA has made good experiences with centralized/specialized authorities (also including courts), because this leads to a higher expertise of the authorities/persons involved in processing the cases, thereby facilitating the process.

- Status updates on a regular basis would be greatly appreciated, in order to be able to inform the applicant about the status of the case.

- Problems can occur in states with non-unified legal systems, when the applicant moves to another federal state, since a transfer of cases from one state to the other often proves to be difficult.

- Some States are not able to forward payments to the creditor if the debtor makes voluntary payments, i.e. if a maintenance decision has not been established yet.

4. Access to information

4.1. Has your State experienced difficulties in obtaining information required for processing cases under the Convention, as a result of restrictions on access to personal data held by the government or private institutions?

- No
 Yes – as a requesting State, please explain:

- Yes – as a requested State, please explain:

When benefits are granted in place of maintenance in the requesting state, some countries are not able to provide the underlying approval decision for reasons of data protection, even though the decision may be necessary in order to prove to the courts in accordance with Art. 36 (4) that the conditions are met and the public body is thus entitled to apply for enforcement of a maintenance decision (that was rendered for the child receiving the benefits).

- If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

Together with the Central Authority of the requesting State a solution was found by providing other proof.

5. Enforcement issues

5.1. Has your State experienced difficulties in enforcing decisions that set the amount of maintenance obligations on the basis of a percentage of the salary of the debtor or of the requesting State's minimum wage?

- No
 Yes, please specify:

A decision can be enforced in Germany when it is sufficiently specific or can be specified with additional documents.

This means that an obligation that is based on the state's minimum wage can be enforced if the exact amounts can be derived from corresponding official documents/tables.

An obligation based on a percentage of the salary of the debtor causes uncertainties as to the possibility of enforcement. For example it can be unclear whether the decision refers to the gross or net income of the debtor. There are no official registers documenting that kind of information in Germany, making it difficult for the competent authorities or the enforcement bodies to determine the salary of the debtor.

Similarly, an obligation based on a percentage of the income of the debtor (more regular than percentage of the salary) causes problems in enforcement, because it is already unclear which sources of income are included and the amount often cannot be determined for a lack of information.

If yes, please describe, if relevant, the practices your State has developed to overcome these difficulties:

The difficulties are communicated to the requesting state and the applicant is asked to specify the amount owed and provide relevant documents that make it possible to specify the amount owed. For the purposes of cross-border recovery of maintenance it may be helpful to establish a fixed amount or to provide for the possibility for the competent authority establishing the decision to specify the amount owed under domestic law.

5.2. Has your State experienced difficulties in enforcing orders where the debtor does not have his / her habitual residence in your State but does have property there?

- Not applicable – we have not had any requests to enforce an order in this circumstance
 No, we have been able to enforce orders in this circumstance. Please describe the processes used:

German law provides for jurisdiction of the national enforcement bodies whenever the debtor has property within the State (Section 828 Code of Civil Procedure (ZPO) in connection with Section 23 ZPO). It may, however, be necessary to serve the debtor in the other State using the relevant international instrument on the service of documents.

- Yes, please specify the difficulties encountered:
Please insert text here

5.3. Can your State enforce the payment of interest (Art. 19)?

- Yes
 No, please explain why not:

If the decision contains a requirement to pay legal interest only specified amounts can be enforced (see 5.1), so the applicant would have to provide a detailed calculation of interest including the interest rate and the starting date for the mandatory interest. However, there are underlying questions for example concerning the applicable law that rules when and where fulfillment occurs (especially when payments are made via the Central Authority) that may cause difficulties calculating the interest. This may even lead to a risk of cost for the applicant which may not be covered by the legal aid granted according to Art. 14, 15.

6. Feedback on the use of the HCCH Mandatory and Recommended Forms

A. As the requesting State:

6.1. Are there specific problems that you want the Special Commission to address with regard to the content or completion of the HCCH Mandatory and Recommended Forms?

- No
 Yes, please specify:

In order to process the application of a child or public body some States need information on the custodial parent (i.e. name, date of birth). Currently this information is provided under "11. Other information" of the recommended application form given the fact that there is no designated place for this information in the forms.

6.2. Is it a requirement under the domestic law of your State that the 2007 Convention application forms be signed by the applicant?

- No
 Yes, please explain:
Please insert text here

6.3. If you have responded yes to Question 6.2., please specify what other documents are required in combination with an unsigned application form in order for it to be acceptable under your State's law:

Please insert text here

6.4. Can your State's competent authorities complete an abstract or extract of the decision using the HCCH recommended form in lieu of a complete text of the decision?

- Yes, please explain under which circumstances:
In practice, the completion of the abstract does not seem to pose any difficulties to the competent authorities.
 No, please explain:
Please insert text here

Is this covered in your State's Country Profile?

- Yes
 No

6.5. Who is the competent authority in your State to complete the HCCH Mandatory and Recommended Forms?

Please specify:
The mandatory forms are completed by the Central Authority, whereas the recommended forms are filled in by the applicant or the authority that made the decision.

6.6. If the Central Authority or other competent authority in your State receives a handwritten form from an applicant, will it type the form in lieu of the applicant?

- Yes
 No, please explain:
Please insert text here

6.7. Is it possible in your State to process non-certified documents for the purpose of recognition and enforcement (Art. 25)?

- Yes
 No, please explain:
In practice, the Central Authority takes care to process only certified copies of decisions in order to avoid delays that might occur because the requested State might require them at a later point of time. This has not led to any problems.

6.8. For applications other than those for recognition and enforcement, do requested States routinely require documents in addition to those listed in the available recommended forms?

- No
 Yes, please specify:

If paternity needs to be established some States need a special statement by the child's mother concerning the alleged father (e.g. "paternity affidavit").

If yes,

- Only a few States have such requirements
 Many States have such requirements

B. As the requested State:

6.9. Are there specific problems that you would like the Special Commission to address with regard to the content or completion of the HCCH Mandatory and Recommended Forms?

- No
 Yes, please specify:

It would be helpful if forms were completed electronically and printed because handwritten forms are not always legible and lead to a need for further inquiries and delays. In this respect dynamic forms could be helpful.

6.10. Is it a requirement under the domestic law of your State that the 2007 Convention application forms be signed by the applicant?

- No
 Yes, please explain:

Please insert text here

6.11. If you have responded yes to Question 6.10, please specify what other documents are required in combination with an unsigned application form in order for it to be filed with a competent authority in your State?

Please insert text here

6.12. Do your State's competent authorities accept an abstract or extract of the decision under certain circumstances using the HCCH recommended form in lieu of a complete text of the decision?

- Yes, please explain under which circumstances:

Please insert text here

- No, please explain:

This topic falls under the competence of the European Union and is not subject to Germany's discretion.

If no, please explain what could be done to facilitate the acceptance of an abstract or extract of a decision in your State:

Please insert text here

Is this covered in your State's Country Profile?

- Yes
 No

6.13. Is it possible in your State to process non-certified documents for the purpose of recognition and enforcement (Art. 25)?

- Yes
 No, please explain:

German courts may require a certified copy of the decision to be declared enforceable; other documents may not need to be certified.

6.14. Can the recommended forms developed under the 2007 Convention be used for the purpose of a direct request (Art. 37) in your State?

- Yes
 No, please explain:

In order to initiate court proceedings, German procedural law requires applications to meet certain formal requirements, such as a concrete request, indication of evidence provided, a signature of the applicant. The use of the recommended forms for direct requests will therefore most likely lead to queries by the court. In cases that are filed via the Central Authorities the German CA is actively involved in court proceedings and takes care that the requirements are met by creating and filing applications in accordance with German procedural law.

7. Possible additional forms – Is your State interested in the development of the possible following additional forms?*

	Possible additional forms to be developed	No	Yes	Priority Level		
				Low	Med.	High
7.1.	Calculation form for maintenance arrears / statement of arrears	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2.	Scalable model form for decision ⁸	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3.	Statements of enforceability with respect to authentic instruments as well as private agreements (Art. 30(3)(b))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.4.	Model form for Power of Attorney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.5.	Form attesting that Art. 36 conditions are met	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.6.	Form for calculation of interest (with a table of interest or a link to a relevant website)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.	Dynamic forms (available on the HCCH website to be completed online, printed and sent by registered mail)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Possible dynamic mandatory (M) and recommended forms to be developed	No	Yes	Priority Level		
				Low	Med.	High
7.7.1.	Transmittal form (M) under Art. 12(2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.2.	Acknowledgement form (M) under Art. 12(3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.3.	Application for Recognition or Recognition and Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.4.	Abstract of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.5.	Statement of Enforceability of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.6.	Statement of Proper Notice	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁸ For example, the abstract of a decision could be used as a template which could be converted into a full text decision with a simple click.

7.7.7.	Status of Application Report – Recognition or Recognition and Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.8.	Application for Enforcement of a Decision Made or Recognised in the Requested State	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.9.	Status of Application Report – Enforcement of a Decision Made or Recognised in the Requested State	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.10.	Application for Establishment of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.11.	Status of Application Report – Establishment of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.7.12.	Application for Modification of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.13.	Status of Application Report – Modification of a Decision	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.7.14.	Financial Circumstances Form	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7.8. Are there any other forms that your State would like to be developed?

- No
 Yes, please specify the form and level of priority:

[Please insert text here](#)

Priority:

- Low
 Medium
 High

[Please insert text here](#)

Priority:

- Low
 Medium
 High

[Please insert text here](#)

Priority:

- Low
 Medium
 High

8. Country Profile

8.1. Are there specific problems that you would like the Special Commission to address with regard to the content or completion of the Country Profile?

- No
 Yes, please specify:
[The country profiles for some states are still missing.](#)

8.2. Is your State interested in extension of current Country Profile to cover spousal support (the current version of the Country Profile only covers children)?

- No
 Yes
If yes, please indicate a priority:
 Low

- Medium
- High

8.3. Are there other areas that your State would like to see added or modified in the Country Profile?

- No
- Yes, please specify:

With respect to applications of public bodies (Art. 36) information would be helpful on legal subrogation of maintenance claims or other legal consequences if benefits are provided.

9. Possible additional tools – Is your State interested in the development of the possible following additional tools?*

9.1. Guide to Good Practice for Central Authorities on the implementation of the 2007 Convention (a guide as to how the Convention can be implemented in a State, with examples from States as to the way that Central Authority responsibilities are carried out)

- No
- Yes

If yes, please indicate a priority:

- Low
- Medium
- High

9.2. Guidance for the completion of Mandatory and Recommended Forms under the 2007 Convention

- No
- Yes

If yes, please indicate a priority:

- Low
- Medium
- High

9.3. Standardised statistical report

- No
- Yes

If yes, please indicate a priority:

- Low
- Medium
- High

If yes, would it be helpful to develop a Prel. Doc. in advance of the Special Commission meeting to outline the possible statistics that should be included, the benefits of having that information, and a suggested timeline for collection?

- Yes
- No

9.4. Extension of current Country Profile to cover spousal support (the current version of the Country Profile only covers children)

- No
- Yes

If yes, please indicate a priority:

- Low
- Medium
- High

10. Translation of documents and dissemination of information

10.1. Has the text of the 2007 Convention⁹ been translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.2. Has the Explanatory Report¹⁰ on the 2007 Convention been translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.3. Does your State require the use of the HCCH Recommended Forms¹¹ in your State's official language(s) (if not English or French)?

- No – Go to Question 10.4.
- Yes

If yes, have the HCCH Mandatory and Recommended Forms¹² under the 2007 Convention been translated into your State's official language(s)?

- No

If no, when will the translated forms be available? Are there steps that could be taken to facilitate the translation of forms into the official language(s) of your State?

Please explain:

[Please insert text here](#)

- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/HUUE2007/Formulare/Formulare_node.html

10.4. Has the Practical Handbook for Case Workers¹³ on the 2007 Convention been translated into your State's official language(s)?

- No
- Yes
- If yes, the document is available on the HCCH website.
- If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

⁹ See, *supra*, note 1.

¹⁰ See, *supra*, note 2.

¹¹ See, *supra*, note 3.

¹² *Ibid.*

¹³ See, *supra*, note 4.

10.5. Has the Practical Handbook for Competent Authorities¹⁴ on the 2009 EU Maintenance Regulation, the 2007 Hague Child Support Convention and its Protocol (the Romanian project) been adapted and translated into your State's official language(s)?

- No
 Yes
 If yes, the document is available on the HCCH website.
 If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.6. Has the Implementation Checklist¹⁵ for the 2007 Convention been translated into your State's official language(s)?

- No
 Yes
 If yes, the document is available on the HCCH website.
 If yes, the document can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):
[Please insert text here](#)

10.7. What actions to raise public awareness on the international recovery of child support (e.g., information leaflets,¹⁶ institutional circulars, etc.) have been implemented in your State?

[The Central Authority provides several brochures aimed at the general public, practioners, competent authorities, public bodies; moreover, it offers regular training sessions, conferences and workshops for different audiences.](#)

Are such materials available on the HCCH website?

- Yes
 No

If no, can the document be made available to the PB in pdf format or via hyperlink? Please specify:

https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/Publikationen/Uebersicht_node.html

11. Training and training material

11.1. Has training regarding the 2007 Convention taken place in your State for members of the Central Authority?

- No

If no, what are the obstacles to such training?

[Please insert text here](#)

- Yes

If yes, what type of training?

[Every caseworker receives an internal introductory training when he or she starts to work for the Federal Office of Justice in its function as the German Central Authority. We have created an internal handbook for the practical handling of cross-border maintenance cases, including but not limited to the handling of cases under the 2007 Convention. Furthermore, all staff members have the possibility to receive further trainings in the course of time focusing on more specific topics.](#)

¹⁴ See, *supra*, note 5.

¹⁵ See, *supra*, note 7.

¹⁶ Examples of information leaflets are available at: < <http://assets.hcch.net/docs/a4e37173-54e8-4778-b8f5-e7aba66e6d98.pdf> >.

11.2. Has training regarding the 2007 Convention taken place in your State for members of the relevant competent authority(ies)?

No

If no, what are the obstacles to such training?

[Please insert text here](#)

Yes

If yes, what type of training?

The German Central Authority holds regular conferences for judges and court clerks working at courts with a specialized jurisdiction for maintenance cases under the Hague Convention (and other international instruments) (24 courts of first instance; 24 courts of appeal). The participants discuss legal issues concerning inter alia the Hague Maintenance Convention, the EU Maintenance Regulation and the corresponding German implementing legislation as well as the most recent case-law concerning the international recovery of maintenance. Practical issues are addressed in different workshops for incoming as well as outgoing cases. The conferences contribute to an enhanced network between practitioners at German courts and have proven to be an effective tool to foster and facilitate the application of the Hague Convention and ensure a swift handling of cases.

Moreover, the German Central Authority trains staff of youth welfare offices nationwide; in their function as a legal adviser of the child as well as in their function as a public body claiming reimbursement of benefits provided in place of maintenance.

Finally, the German Central Authority gives presentations and takes part in discussion panels in different national and international conferences for relevant stakeholders dealing with international family law cases, like lawyers, NGOs, judges and other legal practitioners.

11.3. Has training regarding the 2007 Convention taken place in your State for caseworkers?

No

If no, what are the obstacles to such training?

[Please insert text here](#)

Yes

If yes, what type of training?

[See under 11.1 and 1.4: caseworkers are members of the Central Authority and trained in that regard.](#)

11.4. Have you developed training material regarding the 2007 Convention in your State?

No

Yes

If yes, the document(s) is available on the HCCH website.

If yes, the document(s) can be made available to the PB in pdf format or is available under the following hyperlink to be posted on the HCCH website. Please specify the language(s):

[The German Central Authority has developed training materials, including several brochures for youth welfare offices \(acting as legal advisors or as a public body\), that can be found on the website of the Central Authority: \[https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/Publikationen/Uebersicht_node.html\]\(https://www.bundesjustizamt.de/DE/Themen/Buergerdienste/AU/Publikationen/Uebersicht_node.html\)](#)

11.5. To assist with training, does your State favour having additional materials on the HCCH website?

No

Yes, please specify:

[Please insert text here](#)

12. Joining the 2007 Convention*

12.1. Is your State a Contracting Party to the 1956 New York Convention on the Recovery Abroad of Maintenance?

- Yes
 No

(Note: Art. 49 of the 2007 Convention provides that such Convention replaces the 1956 New York Convention in relations between Contracting Parties in so far as the scope of application under each convention is the same.)

12.2. Has your State joined the 2007 Convention?

- Yes
 No, please explain:
[Please insert text here](#)

If no, what could be done to facilitate your State becoming a Party (e.g., the proposed [Guide to Good Practice](#) for Central Authorities on the implementation of the 2007 Convention)?
[Please insert text here](#)

If no, does your State have concerns regarding implementing the 2007 Convention?

- No
 Yes, please explain:
[Please insert text here](#)

13. iSupport*

13.1. Has your State implemented iSupport, or is it in the process of implementing iSupport?

- Yes
 No

If no, please respond as appropriate:
[Please insert text here](#)

13.1.1. For Contracting Parties to the 2007 Convention: Does your State intend to implement iSupport?

- Yes

If yes, when?

[Beginning of 2020](#)

If yes, please identify any assistance required:
[Please insert text here](#)

- No, please explain:
[Please insert text here](#)

13.1.2. For Contracting Parties to the New York 1956 Convention which are not yet Parties to the 2007 Convention: Does your State intend to implement iSupport as it supports the New York 1956 Convention?

- Yes

If yes, when?

[Please insert text here](#)

If yes, please identify any assistance required:
[Please insert text here](#)

- No, please explain:

Please insert text here

13.1.3. For non-Contracting Parties to the 2007 Convention which are Parties to bilateral agreements: Does your State intend to implement iSupport as it supports bilateral agreements?

Yes

If yes, when?

Please insert text here

If yes, please identify any assistance required:

Please insert text here

No, please explain:

Please insert text here

14. General

14.1. Are there any other issues or topics not covered in this Questionnaire that you would like to see the Special Commission address?

No

Yes, please specify:

- In order to facilitate the handling of cases, it is essential to have up-to-date contact details (full postal address, e-mail-address etc.) of other Central Authorities on the HCCH website.

- The application/interpretation of Art. 56 has led to problems with regard to the temporal applicability of the Convention because applications made via the Central Authority (a) instead of directly to court (b) could be treated differently, even though the application for enforcement itself could reach the court at the same time. To avoid that result, some German courts have interpreted Art. 56 b) to be applicable whenever an application is made to a court. A clarification that leads to a uniform handling of cases would be helpful.

14.2. Are there any areas where research and/or a Preliminary Document would be helpful?

No

Yes, please specify:

Please insert text here

14.3. If your State is interested in attending a possible meeting of the Special Commission, would it be interested in attending, prior to the meeting, a half-day information session for new States Parties, States interested in becoming Party to the 2000 Convention or States that have not yet attended a meeting of a Special Commission to review the practical operation of a Convention?

Yes

No