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Divorce and Separation in Germany — What You Need to Know

Trennungsjahr, child support, custody rights, and costs: How Scheidung works in Germany. Status: March 2026.

Deutsche Begriffe: Scheidung | Trennung | Trennungsjahr | Unterhalt | Familiengericht

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> Status: March 2026. All information without guarantee.

How Scheidung Works

In Germany, Scheidung is only possible through the **Familiengericht**. The most important principle: there is a **Trennungsjahr**.

1. Trennungsjahr

• You must live **separated for at least 1 year** from your partner

• "Separated" means: separate households (or separate areas in a shared apartment)

• Exception: In **hardship cases** (e.g., domestic violence), Scheidung can be filed immediately

2. Scheidung Application

• Must be filed through a **lawyer** (legal representation required)

• For an amicable Scheidung, **one lawyer** for the applicant is sufficient

3. Court Hearing

- The court checks: Trennungsjahr, pension equalization (retirement claims)
- Duration: approximately 4–12 months after filing

Unterhalt (Support)

Type	For Whom	Duration
Trennungsunterhalt	Lower-earning partner during separation	Until Scheidung
Nachehelicher Unterhalt	Ex-partner in certain cases	Limited or unlimited
Kindesunterhalt	Children	Until financial independence (minimum 18, often 25)

Child Support 2026 (Düsseldorf Table):

- 1st child (0–5 years): from **€480/month**
- 1st child (6–11 years): from **€551/month**
- 1st child (12–17 years): from **€645/month**

Custody Rights

- **Joint custody** generally remains in place (even after Scheidung)
- **Residency determination right** can be regulated separately
- The **child's best interest** is always the priority

Costs

- **Court costs:** Depend on combined net income (procedure value)
- **Lawyer fees:** approximately €1,500–€3,000 (amicable), €5,000–€15,000 (contested)
- **Legal aid:** For low-income individuals — the state covers costs

Tips

- Apply for **Beratungshilfe** (free legal consultation) at the district court

• **Migration counseling:** AWO, Caritas, Diakonie also help with questions about residence rights after Scheidung

• **Residence rights:** After 3 years of marriage in Germany, you have independent residence rights (in hardship cases, also earlier)