EN

Family maintenance

If you wish to claim maintenance, for example by asking for a monthly payment for child support from a parent not living with the child, EU law allows you to use the courts of your home State in order to determine the obligation of the debtor to pay maintenance and set the amount of alimony. Such a judgment will be easily recognised in the other Member States of the European Union.

Please select the relevant country's flag to obtain detailed national information.

Rules from June 2011

As of 18 June 2011, new rules on maintenance matters apply. They still ensure judicial protection of the maintenance creditor by allowing him/her to sue the debtor before the courts of his/her home State. In addition, in most cases, the 2007 Hague Protocol determines the law applicable to maintenance obligations and any judgment on maintenance issued by the courts of the Member States circulates freely in the European Union and may be enforced in all the Member States without additional formalities. Finally, maintenance creditors and debtors benefit from administrative assistance offered by the Member States.

The rules apply in all 27 EU Member States, including Denmark, on the basis of Agreement of 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. However, Denmark does not apply some rules, in particular, the rules on applicable law and on cooperation between central authorities.

As of 1 January 2021, the United Kingdom is no longer an EU Member State. However, in the field of civil justice, pending procedures and proceedings initiated before the end of the transition period will continue under EU law. Until the end of 2024, the United Kingdom can continue to be selected in online (dynamic) forms for the purpose of these proceedings and procedures.

The Regulation also provides that administrative authorities may be considered as courts for the purpose of maintenance procedures. A list of those authorities can be found here PDF (68 Kb) en.

The European e-Justice Portal provides you with information concerning the application of the Regulation and a user-friendly tool for filling in the forms.The European Judicial Network in civil and commercial matters has developed a Guidance on the use of the Annexes under the Maintenance Regulation that is available in 23 language.

When maintenance is due from or to the benefit of a person living in a non-EU State, the Convention on the international recovery of child support and other forms of family maintenance and the Protocol on the law applicable to maintenance obligations may help you in recovering your maintenance in non-EU States which are contracting parties to these international instruments. The Convention has entered into force for the EU towards third States party to that Convention since 1 August 2014.

Non-compulsory standard form on the statement of maintenance arrears

In order to facilitate the practical implementation of the Maintenance Regulation, and the effective exercise of citizens' rights throughout the EU, the European Judicial Network in civil and commercial matters developed a non-compulsory standard form on the statement of maintenance arrears.

This non-compulsory form aims at facilitating the recovery of maintenance arrears and is available in 23 languages. The form comes with a practical guide on completing it attached. The form is available in the following formats: PDF PDF (1093 KB) en, and XLS (244 KB) en.

Non-compulsory standard form on amicable solutions

To facilitate the implementation of the Maintenance Regulation, and the effective cross-border recovery of maintenance, the EJN-civil developed a (non-compulsory) **standard form on amicable solutions**.

Amicable settlement of the dispute will avoid the intervention of a court and/or an enforcement procedure. It can help prevent lengthy and complex proceedings. This form will help **the Central Authorities to facilitate amicable agreements** between the parties, and overcome the language barriers, with a view to obtaining voluntary payment of maintenance. The form is available in 23 languages. The form is available in the following format: PDF PDF (102 Kb) en

Last update: 22/11/2023

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