

Parents' Rights and Duties

When a child is born a parent must immediately contact the registry office. Married couples gain custody automatically. Unmarried couples must initiate custody procedures.

Notice of Birth

The regional registry office (Regionales Zivilstandsamt) must be notified whenever a child is born. Attention: the place of birth, not the parents' community of residence defines which registry office is responsible. The hospital will send the documents to the responsible registry office when a child is born in hospital. A parent must give notice of birth within three days of a birth outside of hospital (e.g. at home). The responsible registry office provides information regarding the required documents. Children born in Switzerland do not automatically obtain Swiss citizenship.

Acknowledging Paternity

When married couples have a child the husband is automatically registered as the father. Should the husband doubt that he is the father he can dispute paternity in court. Unmarried fathers are not automatically registered as fathers. An unmarried father can acknowledge paternity before or after birth in the registry office of his community of residence. Should the father refuse to acknowledge paternity the mother can demand his acknowledgement in court.

Parental Authority

It is a parent's right and duty to care for their child (elterliche Sorge). This includes education and financial support. Parents represent their children legally until they have reached the age of 18. Married parents automatically have the same rights and duties in relation to their child. Unmarried fathers must first acknowledge paternity.

Afterwards the parents can make a written declaration of joint custody (gemeinsame elterliche Sorge). This can be done either together with the recognition of the child at the regional civil registry office or later at the Kindesschutzbehörde (KESB), which is responsible for such decisions in Appenzell Ausserrhoden. Should unmarried couples be unable to reach a custody agreement the child protection authority will decide. Persons with questions or in need of support may contact a responsible counselling centre.

Maintenance

Parents who have separated are both still obligated to care for their child (maintenance, Unterhalt). For this reason they should reach an agreement on the financial support and care of their child. Child support contributions are to be made by mother and father. If and how much a parent must financially contribute depends on their economic situation and on how involved they are in the supervision of the child. If an agreement cannot be reached a court may be involved. If a parent is unwilling to contribute financially the community of residence can help. This includes support in demanding payment and/or payments in advance when necessary (Alimentenbevorschussung).

Additional information (links, addresses, information sheets, brochures)

www.hallo-ar.ch/en/partnership-and-children/parents-rights-and-duties