Baker McKenzie.

I Am Here: obtaining your identification and vital documents



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National Identification Cards

What is the process for getting a State ID?

In Germany, the State ID Card, called *Personalausweis*, is an official document that allows you to prove your identity in everyday situations, such as at the local authority, banks or hotel reception desks. It looks like a small plastic card with your photo and personal details printed on it. See the image at this link for more details:

https://www.personalausweisportal.de/SharedDocs/bildergalerien/Webs/PA/DE/Bilderstreck e_BuB_Personalausweis/Infobroschuere_Details.jpg?__blob=poster&v=3

A passport is an internationally recognized identification document that confirms your identity and nationality. When travelling abroad, you must always carry a passport when crossing borders. A German ID Card is not sufficient for travelling to countries outside the EU.

You can submit the application for your State ID at your main place of residence, which is usually the citizen office (*Bürgeramt*). If you have (currently) no home, you can apply at a citizen office where you are temporally staying.¹

Where can I find information online about getting a State ID?

https://www.personalausweisportal.de/Webs/PA/DE/buergerinnen-und-buerger/derpersonalausweis/beantragung/beantragung-node.html

You can contact the citizen office (*Bürgeramt*) by telephone or by walk-in/appointment to obtain more information on the application for your ID card.

What documents do I have to have to get a State ID? Is there any document that I must have to get an ID?

- An identification document (old, no longer effective State ID, or passport)²
- A recent biometric picture (digital format from a certified service provider). It has to meet the following requirements:³
 - The photo must be 35x45 mm

- It should have good quality
- The background must be plain, light and without patterns
- The face must be centered and facing directly forward
- Eyes must be open, looking at the camera, with a neutral expression and mouth closed
- Head coverings are generally not allowed, except for religious reasons
- You can find more detailed information here: <u>https://www.personalausweisportal.de/SharedDocs/downloads/Webs/PA/DE/inf</u> <u>ormationsmaterial/weiterefuehrendes-</u> material/Fotomustertafel.pdf? blob=publicationFile&v=8
- For persons under the age of 16, the application must be submitted by a parent or legal guardian and, as a rule, a declaration of consent from the other parent or legal guardian is required

The citizen office (*Bürgeramt*) will inform you if additional documents are required, such as a birth certificate or a certificate of parentage.

If you would like to inform yourself, you will find the legal requirements in Section 1 of the Act on Identity Cards and Electronic Identification (*Personalausweisgesetz, PAuswG*).

What if my documents do not have my correct name/address?

Your address on your State ID must always be correct. When you move in Germany, you have to register your new address at the local citizen's office (*Bürgeramt*) within two weeks of moving. For that you need to make an appointment with your local citizen's office (*Bürgeramt*). You will then have to provide an identity document and a landlord's confirmation (*Wohnungsgeberbestätigung*) to prove the change of address. Please note that the rental agreement is not sufficient, you have to ask your landlord for a confirmation of residence.⁴

What if I only have foreign documents?

If you are a German citizen (*deutscher Staatsbürger*) and have foreign documents from the German embassy in the foreign country, you can personally apply at the citizen office

³ <u>https://www.personalausweisportal.de/SharedDocs/downloads/Webs/PA/DE/informations</u> material/weiterefuehrendes-material/Fotomustertafel.pdf?__blob=publicationFile&v=8

⁴ <u>https://service.berlin.de/dienstleistung/120686/</u>

¹ Sec.7, 8 Act on Identity Cards and Electronic Identification (PAuswG)

² <u>https://www.ra-kotz.de/der-neue-personalausweis-ab-2025.htm</u>

https://www.personalausweisportal.de/Webs/PA/DE/buergerinnen-und-buerger/derpersonalausweis/beantragung/beantragung-node.html

(*Bürgeramt*) and turn in the foreign documents. A German citizen is someone who has German nationality by birth, citizenship, marriage, adoption or declaration.⁵ As a rule, the German diplomatic mission abroad (consular section of an embassy or consulate general) in whose district you are staying permanently is responsible for issuing passports abroad. In general, IDs must always be applied for in person at the diplomatic mission abroad.

If you are not a German citizen and only have foreign documents, you would not be eligible for a German State ID. However, if you are planning to stay in Germany for a while, you can apply for a residence permit or other relevant documents (see Question 8 below).⁶

What happens if my documents are not accepted to get an ID?

The decision on the further procedure and the required documents is the responsibility of the citizens office, it will give you more details.⁷ You will likely need to obtain a valid identification document or a valid biometric picture and reapply.

Do I have to be a resident of the State to get a State ID?

No, you (just) need to be a German citizen in order to get a State ID card.8

How do I prove state residency? What if I have no permanent residence?

To prove your residency in Germany, you must submit a registration certificate (*Meldebestätigung/Meldebescheinigung*). You can apply for a registration certificate at your local citizens' office (*Bürgeramt*).

If you do not have a permanent residence in Germany, there are different residence permits that may allow you to stay if your country of citizenship is not in the EU or Switzerland:⁹

- Employment/Studying Residency Permit (for example EU Blue Card)¹⁰
- Permanent Residency Permit (for example permanent settlement permit and EU longterm permit)¹¹

To be given any of the residence permits, you will need to fulfill a few requirements.

Most of them will be the same, such as:12

- ⁷ Sec. 6a Act on Identity Cards and Electronic Identification (PAuswG).
- ⁸ Sec. 1 IV Nr. 2 Act on Identity Cards and Electronic Identification (PAuswG).
- ⁹ the different residence permits are listed in Sec. 4 Residence Act (AufenthaltsG).
- ¹⁰ Sec. 18g Residence Act (AufenthG).

- a residence purpose like education, employment, humanitarian or political reasons, family reunification or special residence rights,¹³
- a valid passport,
- no reason for deportation, for example no criminal record,
- a valid registration certificate (Meldebestätigung/Meldebescheinigung),
- German health insurance,
- entered the country with the required visa and the relevant information for the issue of a resident permit are already included in the visa application,
- be financially stable and support yourself and your family,
- if you plan on working in Germany, you will need a letter from your employer with the job offer and description,
- if you plan on studying in Germany, you will need proof that you have been admitted into a university,
- if you plan on joining your spouse in Germany, you will need proof of marriage such as a marriage certificate.

You can always contact the citizen office (*Bürgeramt*) by telephone or by walkin/appointment to obtain more information on how to prove your state residence.

Will I need a mailing address? What do I do if I am homeless?

Yes, you generally need a mailing address. It would be the address you registered with at the *Rathaus* or *Bürgeramt*, when you moved to Germany.

If you do not have a permanent residence, it is still possible to apply for a State ID. The only requirement to get a State ID is to prove you are German (*deutscher Staatsbürger*), not to have a permanent residence in Germany.

You can always contact the citizen office (*Bürgeramt*) by telephone or by walkin/appointment to obtain more information for your case.

¹¹ Sec. 9 and Sec. 9 Residence Act (AufenthG).

¹² Sec. 5 Residence act (AufenthG).

¹³ Residence permits can generally only be issued for a specific purpose of residence: education (Sec. 16-17 Residence Act (AufenthG)), Employment (Sec. 18 ff), humanitarian or political reasons (Sec. 22-26, 104a, 104b), family reunification (Sec. 27-36a), special residence rights (Sec. 37-38a). Internetquelle:

https://www.anwalt.de/rechtstipps/aufenthaltserlaubnis.

⁵ Erwerb der deutschen Staatsangehörigkeit - Auswärtiges Amt

⁶ <u>https://www.personalausweisportal.de/Webs/PA/EN/citizens/german-id-</u> card/application/application-node.html

What is the application process? Can I complete it online?

You can apply for an appointment online. The application process can only be done in person.

Apply for an appointment (online, by mail or by telephone)

You can find your competent citizen office (Bürgeramt) here:

https://servicesuche.bund.de/#/de/

Upon confirmation of your appointment, you will typically receive a list of the required documents. If you want to apply for an ID card and live abroad, you can do so at German embassies and consulates. You can find your competent embassy or consulate here:

https://www.auswaertiges-amt.de/de/ReiseUndSicherheit/deutsche-auslandsvertretungen.14

Prepare and bring the complete Documents to the appointment¹⁵

Generally, you need an identity document (such as your old ID card or passport) and a current biometric photo,

If you are under 16, the application must be submitted by a parent or legal guardian. Typically, a declaration of consent from the other parent or legal guardian is also required.

Attend your Appointment

On the day of your appointment, try to get there as early as possible. Make sure you have your document files with you, and you are not missing anything.

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

As of May 2025, the fee for applicants aged 24 and over will be 37 Euro, or 52 Euro if you choose direct dispatch to your address. This ID card will be valid for 10 years. If you are under 24, the fee is 37.80 Euro and the card is valid for six years. If you need financial assistance, you can speak to the citizen office (*Bürgeramt*) to arrange a payment plan.

How old do I have to be to apply for a state ID?¹⁶

If you are under 16, only your legal guardian or caregiver can apply for an ID on your behalf. If you are under 18 and do not have an ID yourself yet, your guardian must apply for one for you within six weeks of your 16th birthday. If you are 16 or over, you can deal with legal ID-related procedures yourself.¹⁷

Do I need to have a parent/guardian with me to get one?

Yes, if you are under the age of 16.18

What if I do not have a parent or guardian who can go with me?

The youth welfare office can support you. For individual cases, we recommend that you always contact the responsible authority (youth welfare office/citizen office) first.

What if I am over 18?

You can and must apply on your own.

How long will it take to receive my State ID?

Between 4 to 8 weeks depending on the workload of the authorities.

Are there any special provisions for foster youth?

There are no special provisions for foster youth, except for the age-related guidelines already mentioned.

Are there any special provisions for homeless youth?

There are no special rules for homeless youth, except for the age-related guidelines and the requirements for people who do not have permanent residency (see answer 9).

Will I have to take a test?

For getting an ID card, you don't need to take a test. However, for citizenship, there are different rules, and you usually need to take a test to show you know the language and culture.

- ¹⁶ Sec. 1 I 1 Act on Identity Cards and Electronic Identification (PAuswG).
- ¹⁷ Sec. 9 II 1-3 Act on Identity Cards and Electronic Identification (PAuswG).
- ¹⁸ Sec. 9 II 1 Act on Identity Cards and Electronic Identification (PAuswG).

¹⁴ <u>https://www.auswaertiges-amt.de/de/service/konsularinfo/reisepaesse-und-personalausweise</u>.

¹⁵ <u>https://www.personalausweisportal.de/Webs/PA/DE/buergerinnen-und-buerger/der-</u>personalausweis/beantragung/beantragung-node.html#doc14626274bodyText3

If applicable, do I have to make an appointment to take the test?

N/a.

Driver's License

What is the process for getting a driver's license?

The cost of a driver's license in Germany can be very different depending on where you are and which driving school you go to. On average, it costs around 3,000 euros to get a driver's license. This sum is made up of different fees. These include the cost of driving lessons, examination fees and learning materials.

The procedure is as follows:

- Register at a driving school (Fahrschule).
- Take part in a first aid course (Erste Hilfe)¹⁹
- Have your eyes checked by an optician or ophthalmologist (Sehtest)²⁰
- Take a biometric passport photo (*Lichtbild*)
- Apply with the Bürgeramt/ Fahrerlaubnisbehörde²¹
- Start your theory lessons
- Start your practical lessons
- Theory test²²
- Practical test²³

Where can I find information online about getting a driver's license?

https://handbookgermany.de/en/live/driving-license.html https://handbookgermany.de/en/driving-License https://www.fahrerlaubnisrecht.de/

- ²⁰ Sec. 12 II Driving License Regulations (FeV).
- ²¹ Sec. 21 I Driving License Regulations (FeV).
- ²² Sec. 16 I Driving License Regulations (FeV).

What documents do I need to get a driver's license? Is there any document that I must have to get a driver's license?²⁴

- Passport or State ID card
- One photo (*Lichtbild*, 35 x 45 mm, borderless)
- Recent vision test (Sehtest) certification (for class A, A1, B, BE, M, L or T license)
- Proof of completion of a first-aid course
- Fee of approx. 45 euros in cash.²⁵
- If you did not just obtained your driver's license but already have one from a EU State and want to have it converted into a German driver's license, you will also need your valid driver's license from your home country. In this case you will also need a certificate of registration (*Meldebescheinigung*) to prove that you live in Germany.

What if my documents do not have my correct name/address?

It would be advisable to change the documents (such as State ID card) to the correct information first. If you move, you do not have to change your driver's license because the address is no longer on the license.

What if I only have foreign documents?

Being German is not necessary to get a German driver's license. If you live in Germany and meet the requirements for a German driver's license (see above), you will be able to apply for one with your foreign identity documents (State ID or passport). Identity documents do not need to be translated. The only condition is that you have your usual place of residence in Germany. This applies if you live in Germany for at least 185 days a year because of your personal or professional relationships. It also applies if you don't have a professional relationship, but you have a personal relationship with the place you live that shows a close connection.²⁶

²³ Sec. 17 I Driving License Regulations (FeV).

²⁴ Sec. 21 III Driving License Regulations (FeV).

²⁵ <u>https://verwaltung.bund.de/leistungsverzeichnis/DE/leistung/99108047001000/</u> <u>herausgeber/HB-S1000030000009347/region/040000000000</u>

²⁶ Sec 7 Driving License Regulations (FeV).

¹⁹ Sec. 19 I 1 Driving License Regulations (FeV).

If you have a driver's license from a country in the European Union (EU) or the European Economic Area (EEA), you do not need to apply for a German driver's license, because it will usually stay valid until the date it expires, even if you move to live in Germany.²⁷

If you are in possession of a driver's license from a country that is not a member of the EU or the EEA, it will be valid for six months from the time you take up normal residence in Germany. After that, your driver's license will no longer be recognized.²⁸

Do I have to be a resident of the State to get a driver's license?

Yes, a German driver's license may only be issued if you have your habitual place of residence in Germany. $^{\rm 29}$

How do I prove state residency? What if I have no permanent residence?

Ordinary residence is assumed if the applicant usually lives in the country, i.e., for at least 185 days a year, due to personal and professional ties or - in the absence of professional ties - due to personal ties that indicate close ties between the applicant and the place of residence.³⁰

As a proof of residency, you can submit your resident registration certification.

Three residence permits allow you to stay in Germany for different periods:

- Temporary Residence Permit
- Employment/Studying Residency Permit
- Permanent Residency Permit

To be given any of the residence permits, you will need to fulfill a few requirements. Most of them will be the same, such as (see A.8):

- have a valid passport from another country,
- not have a criminal record,
- be proficient in German in at least a B1 level,
- have German health insurance,
- pass a health check which proves you are healthy enough to work and/or study,
- be financially stable and support yourself and your family,
- if you plan on working in Germany, you will need a letter from your employer with the job offer and description,

- if you plan on studying in Germany, you will need proof that you have been admitted into a university,
- if you plan on joining your spouse in Germany, you will need proof of marriage such as a marriage certificate.

Will I need a mailing address? What do I do if I am homeless?

Yes, it would be the address you registered with at the *Rathaus* or *Bürgeramt* when you moved to Germany.

In principle, you must provide the data on your normal place of residence when applying for a driver's license.³¹ You can always contact the citizen office (*Bürgeramt/Führerscheinstelle*) by telephone or by walk-in/appointment to obtain more information for your case.

What is the application process? Can I complete it online?

If you have followed all the necessary steps (see question 1) and passed the required tests, you are eligible to submit your application for the issuance of the driver's license.

The application process includes:

- Filling out the application form,
- providing the above required documents (see question 3),
- payment of the fee.

Most of the applications must be done in person and few can be done online. You can always contact the citizen office (*Bürgeramt*) by telephone or by walk-in/appointment to obtain more information.

Further information for the application process online:

https://verwaltung.bund.de/leistungsverzeichnis/DE/leistung/99108047001000/herausgeber/ HB-S100003000009347/region/040000000000

Is there an application fee? Is there a waiver option if I cannot afford to pay it?

In addition to a approx. 45 Euros fee you'll also have to pay for all other tests (theory, practice, vision). Potentially if you're unemployed and you think getting a driver's license will increase your chance to get a job, you can ask the job center to take over the costs.

³¹ Sec. 21 I Nr. 1 Driving License Regulations (FeV).

³⁰ Sec. 7 I 2 Driving License Regulations (FeV).

²⁷ Sec. 28 I Driving License Regulations (FeV).

²⁸ Sec. 29 I 4 Driving License Regulations (FeV).

²⁹ Sec. 7 I 1 Driving License Regulations (FeV).

How old do I have to be to apply for an state driver's license?

In general 18 years old. Due to special regulations in Germany, a person under the age of 18 can apply for "accompanied driving" (*Begleitetes Fahren*) from the age of 16. After obtaining a provisional driver's license, the applicant can drive with an accompanying person after their 17th birthday.³²

Do I need to have a parent/guardian with me to get one?

In general, it is not possible to apply for a driver's license as a minor before the age of 18. Once you turn 18, you are considered an adult and do not need a parent or guardian to apply for your license.

In Germany, however, it is possible to apply for a driver's license at the age of 17 through the accompanied driving programme (*begleitetes Fahren*). In this case, your parents or guardian must give their consent to your application.

What if I do not have a parent or guardian who can go with me?

You won't need a parent or guardian to apply for a driver's license, if you are older than 18 years.

You can always contact the citizen office (*Bürgeramt/Führerscheinstelle*) by telephone or by walk-in/appointment to obtain more information for your case.

What if I am over 18?

If you are 18 or over, you can deal with legal driver's license-related procedures yourself.

How long will it take to receive my driver's license?

If you pass the test, you will be given a document certifying that you are allowed to drive in Germany until you can collect your actual driver's license a few weeks later.

Are there any special provisions for foster youth?

No.

Are there any special provisions for homeless youth?

No, the specifications already mentioned apply.

Will I have to take a test?

Yes, you will have to take the following tests:

- Eye and first aid test³³
- Theoretical test³⁴ (*Theorie-Prüfung*): It is a written exam that will test your knowledge of traffic laws, road signs and safe driving practices.
- Driving test³⁵

If applicable, do I have to make an appointment to take the test?

Yes, for all of them, but the theory and driving tests will be booked by the driving school.

Do I need to get a permit to practice driving before I get my driver's license?

You are not allowed to drive on public roads without a license.

You are allowed to drive a car without a driver's license on practice driving ranges under certain conditions. These ranges are specifically designed to help beginners practice driving.

- Young people under the age of 16 are generally not allowed to drive.
- There must also be an accompanying person with a valid driver's License in the vehicle.
- It is important to note that many providers also specify a minimum age for the accompanying person. This is usually 21 years of age.
- The terms and conditions often state that the accompanying person must have held a driver's License for a certain period of time. This means that young drivers are generally not allowed to be passengers.

Where do I find out more about obtaining an instruction permit?

You can visit any driving school or go to this website to find out more about getting a driver's license.

- ³⁴ Sec. 16 Driving License Regulations (FeV)
- ³⁵ Sec. 17 Driving License Regulations (FeV)

³² Sec. 48a Driving License Regulations (FeV).

³³ Sec. 12 II, 19 Driving License Regulations (FeV).

https://handbookgermany.de/en/live/drivinglicense.html?gad_source=1&gclid=CjwKCAjwktO_BhBrEiwAV70jXsKmNGn-6qbQOTalgfAS1GNk8ch_SXrgzs2ntgX1yi-hKw3joo6gRoCYrMQAvD_BwE

https://verwaltung.bund.de/leistungsverzeichnis/EN/leistung/99108047001001/herausgeber/ HH-S1000020010000009638/region/02000000000

https://www.bussgeldkatalog.org/auto-fahrenueben/#:~:text=Das%20Autofahren%20zu%20%C3%BCben%2C%20ist.Verkehrs%C3%BC bungsplatz%20kein%20%C3%B6ffentlicher%20Verkehr%20erfolgen.

Birth Certificate

How do I get a copy of my birth certificate?³⁶

There are different ways you can apply for a copy of your birth certificate:

Apply In-Person

- 1. Make an appointment to visit the registry office (*Standesamt*) in the region where the birth took place or registered.
- 2. At the registry office (*Standesamt*), ask for birth certificate application form.
- 3. Fill in the application form for birth certificate with the correct information.
- 4. Attach the required documents to the application form and submit to the assisting officer.
- Note that if you are requesting for replacement of a lost or damaged certificate, you need to provide valid identification documents and for certificate of a new born baby, you have to attach these documents to the application form: <u>https://urkundenservice.online/geburtsurkunde-</u> anfordern?site=standesamt.online.
- 6. The assisting officer will validate your documents and you will be required to pay the application fees.
- 7. Your document will be processed and produced. In some offices your document will be produced in some day.

Apply by Post/Fax

You can also apply for your birth certificate by post or by fax. In this regard, you must write an informal letter in which you ask the registry to send you a copy of your birth certificate.

Your letter must contain the following information:

- Surname, first name
- Date and place of birth
- Surname, first name of parents
- if known: Registry office and notarization number
- a certified copy of your identity card or passport

You will then receive a notification of fees when the certificate is sent to you, unless you have already paid the fees.

Apply Online

See Question 6

What documents will I need to get my birth certificate?37

- Identification documents (ID, pass or a certified copy if applying in writing)
- You can also be requested to provide the damaged birth certificate.
- In case of application or collection by a representative
- written power of attorney from the authorized person,
- their identity card (original or certified copy or eID) or Passport (original or certified copy) and
- the identity card, passport or eID of the representative informal letter requesting the birth certificate

What happens if I don't have some or all of the documents that are required?

We suggest getting in touch with the registry office (*Standesamt*) to find out how to deal with missing documents.

Where do I get my birth certificate if I was born in another state?

You can apply for your birth certificate at the birth registry where you were born. The requirements for issuing a foreign birth certificate vary depending on the regulations of the state of origin.

How quickly can I get my birth certificate? Is there a cost?

It can take between 2 and 4 weeks and will cost you around 12 Euros.

³⁷ https://verwaltung.bund.de/leistungsverzeichnis/DE/leistung/99027002012000/ herausgeber/ST-289599528/region/15

³⁶ <u>https://verwaltung.bund.de/leistungsverzeichnis/DE/leistung/99027002012000/</u> <u>herausgeber/ST-289599528/region/15</u>

Can I order my certified birth certificate online?

Link: Bundesportal | Geburtsurkunde beantragen

Some registry offices already offer via a so-called "registry office online service" that the birth certificate can be requested online. There are also independent service providers which allow for a small processing fee, the online application for the certificate.

The registry office of the city where the corresponding register entry is kept is usually responsible for issuing your birth certificate.³⁸

Visit the registry portal where the birth was registered to an online application for the birth certificate. For example, Registry office in the centre of Berlin:

- 1. Open the office portal through this link: Standesamt Mitte von Berlin Berlin.de
- 2. Scroll down to certificate point and then click on online and it will open a new page "Request for Documents"
- 3. Read the instruction on how to request for the document as you scroll down, when you reach "order certificate online" click on the first hyper link.
- 4. This will open an application form for requesting birth certificate online.
- 5. Fill in the application form with the accurate information and click on Agreement to pay for the order you are placing.
- 6. Complete the procedure and submit your application.
- After you have completed the ordering process, you will receive from the registry office center of Berlin no separate confirmation of receipt. Your request will be processed immediately and sent to you unsolicited. Fees will be sent with the certificate.
- 8. If you require documents earlier, they must be requested and collected by you personally or by a proxy at the registry office during office hours.

What are the fees if I order my certified birth certificate online? Is there a waiver if I cannot afford the fee?

The fees remain the same whether you apply online or in person. The fees may vary from city to city, e.g., Cologne 10 euros, Berlin 12, Düsseldorf 15, München 12 Euros and there is no waiver but you can get a discount if you receive benefits.

⁴⁰ Sec. 33 Personal status statute (PStV).

How long does it take to receive my certified birth certificate?

This depends on the birth register's workload but it will usually be up to 2 weeks. Mostly on the same day if you attend in person.

Is there any special laws or provisions that can help get a birth certificate if I have been in the foster care system or homeless?³⁹

Retroactive birth registration

Administrative authorities are allowed to register children whose identity and birth details cannot be entirely proven on a case-by-case basis. In principle, your parents' identity documents, such as birth certificates, marriage certificates and identity documents are required by the register.⁴⁰

Nevertheless, in the event that the necessary documentation is not provided, the registry may adopt a flexible approach and accept alternative forms of documentation or evidence to verify the information regarding the child's family. For instance, the registry may choose to question witnesses.⁴¹

If there is not enough evidence available to the registry office about the child's parents, an explanatory supplement is added to the birth certificate stating that the child's identity is not proven.⁴²

The result of this is that a birth certificate cannot be issued, but a certified printout of the birth register may be issued, which is also an official document and can be used when applying for benefits and services in Germany.⁴³

A birth certificate can be issued once supplementary information about the child's parents is received and added to the main birth registry entry.

If a person is found in Germany whose personal status cannot be determined, the administrative authority will determine the person's place of birth, date of birth and name⁴⁴. If details about the person's civil status are later discovered, the entry will be corrected by the authority that registered the child.⁴⁵

SOURCE: <u>https://www.streetchildren.org/legal-atlas/map/germany/legal-identity/can-a-child-obtain-retroactive-or-replacement-birth-registration-documents/</u>

Where can I find information online about getting a birth certificate?

⁴² Sec. 35 Personal status statute (PStV).

- ⁴³ <u>https://www.institut-fuer-menschenrechte.de/fileadmin/user_upload/Publikationen/</u> Weitere Publikationen/Info How to Register Your Newborn.pdf
- ⁴⁴ Sec. 24, 25 Personal status statute (PStV).
- ⁴⁵ Sec. 26 Personal status statute (PStV).

³⁸ Sec. 55 II 1 Civil Status Act (PStG).

³⁹ See question 5.

⁴¹ OHCHR report on best practices on birth registration – Contribution of Germany (Office of the High Commissioner for Human Rights)

Berlin: https://service.berlin.de/dienstleistung/318960/

Düsseldorf: https://service.duesseldorf.de/suche/-/egov-bis-detail/dienstleistung/5052/show

Köln: https://www.stadt-koeln.de/service/onlinedienste/geburtsurkunde

Hamburg: https://www.hamburg.de/service/info/11254336/n0/

Frankfurt: <u>https://frankfurt.de/service-und-rathaus/verwaltung/aemter-und-</u>institutionen/standesamt/urkundenbestellung

Making Changes to Government ID Documents

What vital documents should I start with to change my name?⁴⁶

- Valid identification (e.g., passport, identity card)
- Proof of residence or usual place of residence gewöhnlicher Aufenthaltsort (e.g., identity card, registration certificate)
- Certified copy of your birth certificate from the birth register
- Certified copy from the marriage register if you were or are married
- Certificate of good conduct (*Führungszeugnis*) for persons who are at least 14 years old
- Statement as to whether you have previously submitted an application for a surname change

How do I change my name on my birth certificate?

The registry office (*Standesamt*) is responsible for civil name changes in connection with a birth, marriage or parentage confirmation.

If you want to change your name for any reason other than the above, you must apply for a public law name change. You must have an important reason for the name change. An important reason exists if your legitimate private interest in the name change outweighs the public interest or the private interest of a third party in keeping the name. The name change authority is responsible for this procedure (*Bezirksamt – Berlin*).

For further information, please contact your local registry office (Standesamt).

How do I change my name on my State ID?

You need to apply for an updated State ID.

How do I change my name on my driver's license?

You need to apply for an updated driver's license.

How do these answers change if I am a minor?

- If you are a minor, you will need parental consent: Both parents must agree to the name change. If they are divorced or separated, the parent with custody must give consent. If they share custody, both must agree. In some situations, especially if one parent does not consent, the name change may require the approval of the family court. The court will consider the best interests of the child when making its decision.
- Documents required are similar to those for adults, but must include parent identification.

How do I change my name anywhere else?

You need to inform any relevant authorities or your bank, phone provider, etc. of the name change or you might be able to update the new name online yourself.

What vital doc should I start with to change my gender marker?

- Register the application for change of gender entry and first names verbally on site or in writing at the registry office. The name must match the gender.
- 2. After a period of 3 months, you can then submit <u>the declaration for the change of your</u> <u>gender entry and first name</u> in person at the registry office. If you do not submit the declaration within 6 months of your registration, the registration process must be repeated.
- 3. The registry office will change your data in the civil register.
- 4. After a blocking period of one year, it is generally possible to change the gender entry again. In this case, you must register the change again and can submit a new declaration after 3 months at the earliest.

Further information for the process online: https://service.berlin.de/dienstleistung/351522/.

How do I change my gender marker on my birth certificate?

It is only necessary to make a declaration to the registry office (*Standesamt*) about your changed gender. If you are under the age of 14, the declaration must be made at the

⁴⁶ Allgemeine Verwaltungsvorschrift zum Gesetz über die Änderung von Familiennamen und Vornamen (NamÄndVwV) Abs. 17.

registry office by your custodial parent. If you are 14 and over you will be able to make the declaration yourself, but you parents still have to give their consent. If your parents do not agree, you can take legal action before the family court.

How do I change my gender marker on my State ID?

In order to change your gender marker, you have to declare to the registry office (*Standesamt*) that the information about your gender should be changed.⁴⁷

Once the gender entry has been changed, your ID and passport are no longer valid. As part of the general obligation to hold a valid ID, you have to apply for a new document at the citizen office (*Bürgeramt*).

By an application at the citizen office (*Bürgeramt*) after submitting an application to the District Court (*Amtsgericht*).

How do I change my gender marker on my driver's license?

Even if it is not mandatory, it is advisable to have your driver's license adjusted. You can change it at the citizen office (*Bürgeramt/Führerscheinstelle*).

How do I change my gender marker anywhere else?

With the application to the District Court (Amtsgericht) or registry office (Standesamt).

You can always contact the registry office (*Standesamt*) by telephone or by walkin/appointment to obtain individual information for your case.

How do these answers change if I am a minor?

You need a parental guardian at the age of 14 and 18, except for the gender entry.

If you are under 14, your legal representative has to submit the declaration of change to the registry office for you. You will have to be present when the declaration is made because the declaration requires your consent.⁴⁸

If you are 14 and over, you can make the declaration of change yourself. However, the consent of your legal representatives is required to do so. The consent can be replaced by the family court. As is generally the case in family law, the criterion here is the best interests of the child.

⁴⁷ Sec. 2 I Self-determination Act (SBGG).

⁴⁸ Sec. 3 Self Determination Act (SBGG).

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