

Guidebook

For non-German inmates,
released prisoners
and their families

Informations

Your rights

Assistance

Contact addresses

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Introduction

German social law is often difficult to understand. The sentences are long and many words are unfamiliar. Or one does not know what they mean. We have tried to explain things in simple words. Nevertheless, it may still be the case that some things are too complicated. Our advice: If you do not understand something, ask for it to be explained! The social workers in the prison are familiar with these matters. Ask them! Also, the employees of the non-governmental offender support, for example at the Diakonie, the Caritas, and the Paritätische Wohlfahrtsverband, can explain a lot of things that you do not understand.

When people have to go to prison and after their release, they and their families have many questions:

- What happens to my apartment?
- How will my family make a living now?
- Where can I get help if I have money problems?
- How do I get a job again?
- Can I avoid being deported?
- Is it possible that I could be deported before the end of the sentence rather than serving the full sentence?
- Where can I find social institutions that can help me?

This book tells you:

- What state aid and other assistance is available.
- What conditions you need to meet to obtain help.
- Who you can contact.

Laws change from time to time. So before printing the book, we check that what we have written about the laws is still right. This book is based on the legislation in force on 1st December 2019.

Important: It is possible that legal regulations may have changed once again by the time you pick up this book. For this reason, you should always ask other people who are well-informed/have a good knowledge of the laws. In prison, for example, this would be the relevant social worker. Or outside of prison, you can contact an employee from the non-governmental offender support or a counselling centre for refugees and migrants.

Hartz IV benefits, that is, basic income support for job seekers (Grundsicherung für Arbeitssuchende in short ALG II), are always adjusted to the level of wages and prices in Germany on January 1st of each year. This means that Hartz IV benefits are increased slightly at the beginning of the year. This book refers to Hartz IV benefits as of January 2019. They have now increased again slightly.

Each federal state has its own state laws for prisons/prison systems/penal systems. Some regulations only apply in some federal states. Unfortunately, we cannot explain all the different rules in this book. The book would be too thick and even more complicated. But do not worry too much!

This book cannot answer every specific question. We just want to give you a basic overview. We recommend that you also seek personal advice.

Please contact:

- The social workers in your prison (Justizvollzugsanstalt, in short, JVA)
- The offender support (Straffälligenhilfe) on site at the JVA or at your future place of residence
- The prison chaplain (Gefängnisseelsorge)
- Volunteers in the JVA
- Counselling centres for refugees and migrants

After your release, we also recommend that you visit a counselling centre for the unemployed or go to a social counselling centre. However, if your residence status is not clear, you should take care of that immediately. To do so, you can first seek advice from one of the migration and/or refugee advice centres that are available almost everywhere. There you will be given some basic advice, including where to go for further advice.

Important: Get help if you need to write a letter to an office or submit an application to an authority. Good and, above all, correctly written letters are usually more successful than incorrect and badly written letters.

At the back of this book, you will find a detailed list of counselling services. We have listed them according to federal states. There are social workers and other professionals in these institutions who will try to help you. We have checked all addresses and telephone numbers in the text and address section. However, such contact details change quickly. We therefore cannot guarantee that all contact details are correct.

If you have any ideas on how to make this book better, then just write to us. We'd be happy for you to help out.

Your BAG-S

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1. You have to go to prison

When you have to go to prison, a difficult time starts for you and your family. You will need to take care of a lot of things. The sooner you do this, the fewer problems you will have to face later.

The following checklist can help you to make sure that you have covered everything. It contains many important questions. Please resolve these issues before you go to prison or at the beginning of imprisonment.

Who will pay your rent?

You can send an application to the Social Welfare Office (Sozialamt) requesting that they continue to pay your rent (Mietfortzahlung). The Sozialamt can pay your rent in case of imprisonments of up to one year if you do not have the money yourself. In some cases, they may even pay for more than a year. For more information, please refer to Book XII of the Social Security Code (Sozialgesetzbuch (SGB) XII). It is described in detail from Section 67 onwards. You can either get advice from offender support (please refer to addresses in chapter 10) or from the job centre if you receive Hartz IV, that is Arbeitslosengeld (ALG) II.

You live with your family?

Perhaps they can also apply to the Social Welfare Office (Sozialamt) or the job centre for benefits so that they can pay the rent. Your family may also be able to apply for housing benefit (Wohngeld) and child support (Kinderzuschlag). Your family must seek advice on what is best in their case.

Do you want to sublet your apartment?

If your landlord agrees, you can sublet your apartment. This means that somebody will live in the apartment as long as you are in prison and this

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person will pay you the rent. However, you should only do this if you trust the subtenant. Please read all meters for electricity, gas and water beforehand.

Have you cancelled your tenancy agreement?

If you cannot keep your apartment, you should give notice to your landlord immediately, so that you will not have to keep paying rent. This also applies if you do not want to return to your apartment after imprisonment.

Have you cancelled your electricity and water?

Please inform the electricity supplier or the municipal utilities (Stadtwerken) that you have cancelled your tenancy agreement. The reason you need to do this is because if your new tenant does not register themselves, you will have to keep paying the electricity costs.

Do you have family members at home who need to be looked after?

If so, find out whether the persons will remain in the apartment and whether the remaining persons have sufficient means of subsistence. If children, young people and senior citizens remain in the apartment, ask relatives or acquaintances to look after them immediately and be sure to inform the Youth Welfare Office (Jugendamt) if children and young people need to be looked after. If you need help, contact counselling centres, the job centre and the Jugendamt.

Did you or your family receive housing benefit (Wohngeld)?

If yes, please inform the authority responsible for payment (Wohngeldstelle). As you no longer have any income, the Wohngeld can be increased.

Do you have any pets at home?

If yes, please ask relatives or friends to look after your pets or call the

animal shelter or the animal welfare association for help.

Does your furniture need to be stored somewhere?

Check whether your furniture needs to be stored. Please ask relatives or acquaintances whether you can store your furniture there. If this is not possible, you must have your furniture stored by a forwarding agent. If this is the case, contact the Social Welfare Office (Sozialamt) or the job centre and ask them to check whether the costs of storage can be covered.

Important documents

Think about where you want to store your important documents (certificates, birth certificate, pictures etc.) during your detention. Is there a person you trust who can keep the important documents for you? Then give your important documents to this person.

Do you pay for insurance?

For example: Household insurance (Hausratversicherung), legal expenses insurance (Rechtsschutzversicherung) or life insurance (Lebensversicherung). Please consider whether it is absolutely necessary that these insurance policies continue. You can even suspend the insurance policies for the period of imprisonment. This would mean that you will not be insured during this period. However, you also do not need to make any payments towards these insurance policies during this period.

It is often the case that you cannot immediately terminate an insurance policy contract, since it has a fixed term.

- Life insurance: Try to sell the insurance. There are several companies that buy life insurance policies. This would be much cheaper than a cancellation.
- Household insurance: When you cancel the tenancy agreement of your apartment, cancel the insurance immediately afterwards.

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Do you still need to pay bills?

If you owe money to someone, please inform them immediately. Also think about any bills or instalments which are remaining. Please tell them that you will not be able to pay any bills for the period of imprisonment. Please request a postponement of payments until you are released.

Have you submitted a forwarding request (Nachsendeantrag) to the post office?

Inform all providers who send you mail (including private contacts) of the change of address. Please also submit an application, requesting that mail be sent to your new address in prison, preferably before your detention. If this is not possible, please ask a JVA employee to help you out with this, and they will give you an application form. A Nachsendeantrag for half a year currently costs 19.90 euros and for a full year, it costs 26.90 euros. This may seem like a lot of money for you right now, but this application can save you a lot of trouble later on, because you will be held responsible if important official letters remain in your mailbox.

Have you cancelled radio and television subscriptions?

Please cancel the subscriptions for these devices.

Please obtain an application from:

ARD ZDF Deutschlandradio

Beitragsservice

Freimersdorfer Weg 6

50829 Köln

Or you can get the application on the internet: www.rundfunkbeitrag.de.

Or please ask for the application at the JVA. You normally do not have to pay anything for the radio (GEZ) when you are in prison.

Have you subscribed to any newspapers or magazines?

If yes, please arrange for no newspapers to be delivered during the period of imprisonment, or please cancel your subscription on time. If possible, you may ask for a free subscription.

Are you a member of any associations?

If yes, please arrange that you will not have to pay any contributions towards the association for the period of imprisonment.

Did you have a job before you had to go to prison?

Think about how you can deal with your employment situation if you have to spend some time in prison.

You can also apply for a wages tax refund while you are in prison. Please refer to further information related to the electronic wages tax card (elektronischen Lohnsteuerkarte) in chapter 4.

What about your health insurance?

You're covered by public health insurance: Please note that your membership does not end automatically with the commencement of imprisonment. You can only terminate your membership in the usual way, e.g. by deregistering your employer, the job centre or by terminating the voluntary member because he/she is no longer willing or able to pay the fees due to imprisonment. In the case of persons with voluntary and previously statutory insurance, voluntary contributions in accordance with Section 67 and following of Book XII of the German Social Code (SGB XII) can be paid by the Social Welfare Office for the period of imprisonment for a foreseeable period of imprisonment (max. 24 months) and a prognostic need after release from prison. If you have been voluntarily insured under the statutory health insurance scheme, you should seek advice on whether it makes sense to continue the voluntary insurance or

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to terminate it. It may be advisable to let the insurance continue so that insurance cover continues to be available after imprisonment. If you have already been imprisoned for three months, you can apply for a reduction in contributions in accordance with Section 240 (4a) sentence 2 of the German Social Security Code, Book V (so-called pension contribution for an entitlement insurance (Anwartschaftsversicherung)). Your contribution will then be reduced to one third.

You are privately insured: Then your insurance will be suspended during your imprisonment, because after imprisonment the premiums are not/can no longer be paid. You can also continue this as an entitlement insurance with lower premiums. The insurance cannot be cancelled by either the private health insurance or by you. Therefore, it is usually not necessary to pay the premiums. In the event of termination of imprisonment and simultaneous requirement of SGB-XII, the full insurance coverage is reinstated in accordance with Section 193 (6) of the German Insurance Contract Act (VVG).

Who will take care of your family?

Have you provided the family income through your work until now? Then your family members will have to take care of this from now on. Please refer to chapter 6 for more information.

Does your family still have health insurance coverage during your imprisonment?

That could be difficult. Your relatives should contact their health insurance company as soon as possible to clarify their insurance status.

Do you need to pay for child support (Unterhalt)?

If yes, please inform the people who are going to look after your children. If your children are already of legal age, please inform your children about your imprisonment. You can also inform the youth welfare office (Jugendamt) if you pay child support to the Jugendamt. You can send an application to them, requesting that you pay less child support than you used to, for the entire period of imprisonment. You can also request that you do not have to pay at all for the period of imprisonment.

Important: this will not be possible if the reason for your imprisonment is because you have not paid child support at all or have paid very little. Can you not pay child support for your children any longer because of your imprisonment? Then you can apply for an advance at the Jugendamt for children up to 18 years of age. For more details, please refer to chapter 6.

Is your residence permit (Aufenthaltstitel) still valid?

Please remember that you must apply for an extension of your residence permit before it expires. Please submit a written application for an extension even if the immigration office (Ausländerbehörde) tells you that you are to be deported.

Have you taken care of everything regarding your apartment?

- Please switch off the gas and water connection.
- Electrical devices: please unplug all devices.
- Please lock your apartment.

2. You are in prison

Since 1st September 2006, the federal states have gradually become more responsible for the prison system. The federal states have each issued their own laws. Unfortunately, we cannot address all the details of the prison laws of these federal states in this book. If you would like to know more about the details, please contact the social service office in your JVA or a representative from the non-governmental offender support.

Here, we have listed the regulations which are applicable in most federal states. In some places, we have explained the different regulations in the prison laws of the federal states in detail.

1. Payments from the prison

Remuneration/wages

If you work in prison, you will receive a low remuneration. In other words, a wage. There are five wage levels. The wage amount depends on the kind of work you do. The wage is paid only for the actual work you do.

If you are employed in an independent basis, you receive the standard wage. Independent employment is paid work outside the JVA. You must pay a contribution to detention costs to the JVA from your standard wage.

Training allowance (Ausbildungsbeihilfe)

Have you participated in a class or a training course in jail? If yes, you will get a so-called Ausbildungsbeihilfe. But you will receive this money only if you are not receiving money for your training from somewhere else. The Ausbildungsbeihilfe will be as much as the wage you would receive if you work. Usually, this is a wage that belongs to wage level III.

Pocket money (Taschengeld)

Are you unable, through no fault of your own, to work or train for a job? Then you will receive Taschengeld, provided you are in need of it. This means that you will not get money from anywhere else. The Taschengeld will be paid to you by the JVA. You must apply for the Taschengeld.

The Taschengeld is usually 14 percent of the current basic remuneration (Eckvergütung). The Eckvergütung is the normal wage of a prisoner at the lowest wage level. For 2019, the pocket money per day is 1.88 euros (West) and/or 1.74 euros (East). For prisoners awaiting trial, a different rule is applicable. You cannot freely control the money that you receive in jail, since it is intended for different purposes. It will be divided into house money (Hausgeld), bridging aid (Überbrückungsgeld) and your own money (Eigengeld). The exact distribution of the money is determined in the prison laws of the federal states. They determine how much money will be given for each purpose.

Money for internal purchases (Hausgeld)

The Hausgeld is a part of the wage that working prisoners receive, which they are allowed to use to make purchases within the institution itself. Three sevenths (in Saxony, six tenths) of the wage or training aid (Ausbildungsbeihilfe) or 100 per cent of the Taschengeld are intended as Hausgeld. If you are working outside the JVA, a part of your wage will be fixed as Hausgeld. The Hausgeld cannot be seized. This means that the money cannot be collected by the state or anyone else to pay your debts. Even the JVA cannot take that money away.

However, there are exceptions:

- Any damage that you have caused in prison can be paid off with the Hausgeld.

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- You must pay the costs of legal proceedings. It can then be determined that you have to use part of the Hausgeld for this.

Bridging aid (Überbrückungsgeld)

The Überbrückungsgeld is intended to secure your and your family members' livelihood during the first 4 weeks after your release. The Überbrückungsgeld is made up of all the incomes belonging to the prisoner. However, the provisions for Überbrückungsgeld are different in individual federal states.

- In these federal states, the formation of Überbrückungsgeld is mandatory: Bavaria, Baden-Württemberg, Bremen, Hesse, Hamburg, Lower Saxony, North Rhine-Westphalia, Saxony-Anhalt, Schleswig-Holstein.
- In these states, Überbrückungsgeld no longer exists: Mecklenburg-Western Pomerania, Rhineland-Palatinate, Saarland, Thuringia.
- Some states have introduced new provisions: Berlin, Brandenburg and Saxony. Here, the prisoner himself decides whether an Überbrückungsgeld or an integration aid (Eingliederungsgeld) needs to be created.

The maximum amount of the Überbrückungsgeld depends on the individual case.

For example: You could not work during imprisonment, but you received money from a relative. Or you had money when you were arrested. Then this money or a part of it must be saved as Überbrückungsgeld.

You have a right to receive interest on the Überbrückungsgeld. You can request the interest from the payment office. The Überbrückungsgeld can only be seized if it exceeds a certain amount and is therefore counted as

“own funds” (Eigengeld). The Überbrückungsgeld is normally paid in cash when you are released. But it can also be transferred to the parole officer or somebody else so that they can take care of it for the parolee.

Important: For information on how the Überbrückungsgeld is offset against Hartz IV benefits, please refer to chapter 5.2

Own funds (Eigengeld)

The Eigengeld is the money that you have brought to or received in prison. A part of the Eigengeld can also be counted as Überbrückungsgeld. Eigengeld which is not used to increase the bridging aid can be seized. For instance, it can be taken to pay your debts.

2. Benefits according to Book II of the Social Security Code (Sozialgesetzbuch II, in short SGB II)

People who are looking for work and do not have enough money to cover their living expenses, usually receive benefits under the Sozialgesetzbuch (SGB) II. These benefits are also called Hartz IV.

However, a person who is fit to work and fully institutionalized, is not entitled to benefits according to the Sozialgesetzbuch (SGB) II.

People who are in custody, imprisoned, in a psychiatric clinic or in a hospital by judicial order are deemed to be institutionalized.

This also applies to:

- Imprisonment as a substitute for a fine = default imprisonment (Ersatzfreiheitsstrafe)
- Youth custody including imprisonment (Dauerarrest)
- Coercive detention (Erzwingungshaft): Erzwingungshaft can be ordered if a person does not pay a fine and does not explain the reasons for

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doing so.

- Erzwangungshaft can also be ordered in a trial. In doing so, a witness needs to testify.
- Measures of correction and prevention (Maßregelvollzug): Maßregelvollzug means: Mentally ill or addicted criminals can be accommodated in special clinics and hospitals for treatment for a specific time.
- Pre-trial detention (Untersuchungshaft)

Even during leave from detention (Hafturlaub) you are not entitled to any benefits according to SGB II. Also, as of August 1, 2016, a prisoner on day release (Freigänger) is no longer entitled to benefits according to SGB II through amendments to the Ninth Act to amend SGB II - legal simplification (BGBl I 2016, 1824). Prisoners on day release (Freigänger) in the open prison are prisoners who can work outside the JVA during the day under certain conditions. In the evening, they must return to the JVA.

A claim to benefits according to SGB II exists in the following cases:

- Leave (Beurlaubung) during measures of correction and prevention (Maßregelvollzug). (However, mere relaxation of enforcement is not sufficient.)
- If your child accompanies you to the prison and your child receives SGB-II benefits, your child's SGB-II entitlement will continue to be paid.
- Execution of the arrest warrant (Haftbefehl) is suspended, which means that the Haftbefehl is no longer valid or is not valid for the time being. For instance in this case: The sentence is suspended to treat an addiction in a hospital or detoxification clinic. The treatment there will probably take less than 6 months. It will then be followed by an outpatient therapy, which does not have to be provided at a fixed location, or the remaining sentence (Reststrafe) is given as parole (Bewährung).

- Important: People who are hospitalized for a prospective period of 6 months or longer are not eligible.

You can apply for SGB II benefits at the job centre. To do this, please contact the social service. The staff will tell you which job centre is responsible for you.

3. Social insurance of Prisoners

- Will you be working in prison? Then you will be insured against unemployment (Arbeitslosigkeit). After a certain period of time, you will then be entitled to unemployment benefits after your release (Arbeitslosengeld). (Please refer to chapter 5 for more information).
- Prisoners who work outside the JVA in open employment are subject to the same rules of social insurance as all other workers.
- You do not have health insurance coverage: Medical care is provided in prison or the prison pays for the doctor's visit, if you need to visit a doctor outside the institution. You are also not covered by nursing care insurance.
- You do not have pension insurance coverage. (Please refer to the next chapter for more information.)

4. Pension Scheme (Altersvorsorge) and Pension (Rente) for Prisoners

If you work in prison, you do not have pension insurance coverage. During this time, no payments will be made towards the pension scheme (Rentenversicherung).

If you are not able to work either because of your age or due to health reasons, then you are additionally entitled to a basic income

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(Grundsicherung) for old age and reduced earning capacity, according to the fourth chapter of Book XII of the Social Security Code (Sozialgesetzbuch (SGB XII, Grundsicherung). The housing benefit (Wohngeld) may also be enough for you.

You can submit the application if you:

- have reached the age for the standard pension (Regelrente)
- or
- are disabled for work.

In addition, further conditions under insurance law must be fulfilled. For example, you must have paid into the pension insurance (Rentenversicherung) for a long enough period of time.

What does fully incapable of earning (voll erwerbsgemindert) mean? This means that due to illness or disability you are not able to work for at least three hours daily. Your income and any existing assets (over 5,000 euros) will be taken into account in the calculation of the benefits. Please send an application to the Social Welfare Office (Sozialamt).

You can try to make provisions for your old age in addition to the statutory pension. For this purpose there is:

- the occupational pension (betriebliche Rente)
- the private pension (private Rente)

Under certain conditions, you can get government grants for these two types of pensions. You can get more information about all types of pensions from counselling centres offering social counselling (Sozialberatung) and the German Pension Insurance (Deutschen Rentenversicherung, in short, DRV).

The statutory pension

If you have a job subject to compulsory insurance, your employer will make monthly contributions to the German Pension Insurance (DRV) from your wages. People can also pay voluntary contributions to the pension insurance. But this is only worthwhile for those who have paid such contributions for a long time. Before you voluntarily become a member of the pension insurance scheme, obtain independent advice on whether it is worthwhile in your case and what risks you are taking.

Postal address:

Deutsche Rentenversicherung Bund
10704 Berlin

The DRV is available free of charge at the following telephone number:
0800 1000 4800.

drv@drv-bund.de or meinefrage@drv-bund.de.

If you have already received a pension prior to imprisonment, the pension will continue to be paid while you are in prison. Check whether you are entitled to nursing services/health care. It is often not possible to determine the care level (Pflegestufe) in custody and accordingly, claims (e.g. rollators) cannot be made.

State-funded additional pension scheme (Altersvorsorge)

Since 2002, there has been a state-subsidized private pension scheme: It is also called Riester-Rente. The money invested in such a contract will not count as an asset when calculating benefits under SGB-II. Important: However, please find out whether setting up a Riester-Rente will be worthwhile for you or not. This is not the case for the majority of prisoners.

5. Continued right of residence, expulsion and deportation from prison

If you are a German citizen, the following questions do not concern you. You are also not affected if you have another nationality in addition to German.

If you are imprisoned as a foreign national from a non-EU state, you must consider whether your residence permit (Aufenthaltstitel) will continue to be valid. Perhaps your visa will expire. Or your residence permit may not be extended because it is subject to the condition that you are engaged in a certain occupation – which you cannot do in prison.

As a foreign national who has been convicted of a crime, if you have a (continuing) right of residence, you are very likely to be threatened with expulsion proceedings (Ausweisungsverfahren). If you are entitled to freedom of movement (freizügigkeitsberechtigt) according to European Union law, you are also threatened with proceedings in which the immigration office (Ausländerbehörde) can deprive you of your right to freedom of movement. However, you are subject to special regulations which differ from the expulsion proceedings for other foreign nationals. Even if you are a Turkish citizen, it is possible that special regulations apply to you, which are also explained in more detail below. Even if you are not a citizen of the EU, you may still be subject to European Union law. You may also be entitled to freedom of movement as a family member of an EU citizen.

However, expulsion proceedings do not mean that you will actually be expelled once they have been completed, and it certainly does not mean that a decision has already been taken to deport you. An expulsion (Ausweisung) is something different from deportation (Abschiebung). The expulsion is, so to speak, a preliminary stage of deportation. The expulsion

ends the right of residence and leads to the obligation to leave the country. Along with your expulsion, you are usually threatened with deportation. Likewise, you will then be subject to a ban on entering and staying in the Federal Republic of Germany in accordance with Section 11 (2) of the Residence Act (Aufenthaltsgesetz, or AufenthG). The expulsion is a kind of additional punishment for foreign nationals who have committed criminal offences. However, attorneys say that it is, legally speaking, not a form of punishment. They say that it is a matter of danger prevention, which means that the state wants you to leave the federal territory because the competent authority assumes that you will commit further offences. It is therefore important that you inform the immigration office of all the efforts you have made since your conviction to avoid recidivism.

If you do not have a valid residence permit, you can be deported from custody without being expelled. This applies if your residence permit has expired, if you have never held one or if you only have a certificate of temporary suspension of deportation (Duldung).

If you are to be expelled, you will first receive a hearing letter from the immigration authorities. This letter states that the immigration office intends to expel you. From the letter you can see which points in your favour are already known. Anything that is in your favour and is not listed there must now be communicated, e.g. if you lived with family members before your imprisonment or if you have a right of contact (Umgangsrecht) with a minor child. You must also check whether everything else that is written there is correct. Perhaps criminal proceedings that were directed against you have been listed more than once or an individual sentence and even an overall sentence that includes this individual sentence. Perhaps times when you were employed or similar activities are not mentioned. You should also mention if you suffer from serious illnesses

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that cannot be treated adequately in your country of origin. Although such reasons cannot prevent expulsion, they can be used as grounds against deportation. Reasons against deportation may also include the threat of degrading treatment or torture in your country of origin. In such cases, you may still be expelled, but you may not be deported because of obstacles to deportation and will be granted a Duldung.

This also applies if you are a drug addict and especially if you receive substitutes for your addiction while in prison. It is best to seek legal advice at this stage, as mistakes are often made in this regard.

If you then actually receive the expulsion order, you can (depending on the federal state) file an objection or take legal action against it. You can find out which legal remedy is the right one in your case from the information on legal remedies (Rechtsbehelfsbelehrung), which must be included at the end of the notification. However, if the immigration office has ordered the immediate execution of the expulsion, the objection and the lawsuit have no suspensive effect. If the objection and lawsuit have no suspensive effect, this means that you can be deported while the appeal proceedings are still pending. In these cases, it is not sufficient to file an objection or lawsuit against the expulsion order. An emergency appeal must also be filed with the competent administrative court. With this emergency appeal, you can try to have the suspensive effect of the objection and lawsuit restored so that you can then await the outcome of the expulsion proceedings in Germany. At this point at the latest, it is advisable to consult a lawyer specialising in migration law. Even if the objection and lawsuit have suspensive effect, your deportation has only been temporarily suspended (Duldung) for the duration of the expulsion proceedings, and you can no longer invoke your previous residence permit, if you had one. The only remaining possibility is to work as you have done before with your residence permit.

Even if you have not yet been expelled and only expulsion proceedings are pending against you, this suffices for most prisons to impose considerable disadvantages on your everyday life in prison. It is possible that you will not be granted any relaxations (Lockerungen) / opening-up measures (vollzugsöffnende Maßnahmen), that you will be denied a training position or that preparatory measures for your release will be declared superfluous. However, the institution may not wait until a decision has been made by the immigration authorities or the court. Nor may it waive these measures only because expulsion proceedings are pending against you. The institution will probably ask the immigration office about the status of the proceedings and receive the answer there that expulsion proceedings are ongoing and that the immigration office intends to deport you from custody. However, the fact that the immigration office intends to do so does not mean that it will actually happen in the end.

It is also not the immigration office, but the prison itself that has to decide on questions concerning your sentence, e.g. whether you will be allowed to leave. For foreign nationals, the enforcement goal of resocialisation applies even if you are to be expelled and deported. The institution must therefore support you in preparing a life without criminal offences after your release, no matter in which country you will be residing after your release. It is essential that you convince the institution that you will not wait until the immigration authorities have made a decision before you start to engage in activities that promote social rehabilitation. For expulsion proceedings, how you have behaved during your time in prison is extremely important. If you have gone through programs there, if you have not attracted attention in disciplinary matters, or if you have even proved yourself in relaxations/opening-up or open enforcement measures, this must be taken into account when deciding on your expulsion. The decision on your expulsion will depend on the date of the last court hearing. Everything you

2. You are in prison

have done up to that point may still be included in the decision to your advantage or to your disadvantage.

If you lose your right of residence in Germany during your detention or if you did not have a right of residence here anyway, you can also apply for asylum while in detention. Of course, this only makes sense if you can present reasons that have a chance of success in an asylum procedure. Generally speaking, these are reasons that have something to do with the situation that awaits you in your country of origin after deportation, possibly also in connection with what you have already experienced there in the past. Especially if it is your first asylum application, you have to consider carefully whether you will file it (now). It is very sensible to seek advice beforehand, for example because some applications can also be made at the immigration office. Asylum applications from detention must be made in writing to:

Bundesamt für Migration und Flüchtlinge
Frankenstraße 210
90461 Nürnberg

If you make a follow-up application for asylum, you should remember to do so within three months of becoming aware of the facts on which the application is based.

If your expulsion order has become legally binding, and if it includes a threat of deportation, you may be deported from custody before the end of your sentence. If it is not as bad for you to return to your country of origin as to be imprisoned, then it may be better for you if you are deported early. You will not be imprisoned in your country of origin. However, the public prosecutor's office must first agree or have already agreed to this. Once it has been decided under immigration law that you can be deported, the

public prosecutor's office will decide on the date of your deportation. It decides which part of the sentence you have to serve in Germany before you are deported from prison and can move freely in your country of origin. However, if you return to Germany after deportation, even if the immigration authorities have allowed you to return, you will have to serve the rest of the sentence immediately. You will then be detained again without a further court decision.

However, you do not have the right to choose whether or not you are to be deported from custody. The public prosecutor's office does not need your consent to a deportation and conversely it does not have to deport you if you wish to be deported. So basically all you can do is to try to persuade the public prosecutor's office. However, it should be noted that there are also cases in which you are not deported to freedom but can be sent to your country of origin to have your sentence carried out. In the event of such an enforcement assistance, you would then serve the sentence imposed in Germany in your country of origin, i.e. you would be imprisoned there.

If you are a foreign national, but you are a citizen of an EU country, the regulations just described only apply to you if you have already lost your right to freedom of movement within the EU (EU-Freizügigkeitsrecht).

You are entitled to freedom of movement according to the law of the European Union if you meet the requirements for this, irrespective of an application to the immigration authorities and irrespective of any certificate. If you no longer meet the relevant requirements (e.g. professional activity or self-employment), the immigration office can determine that you have lost your right to freedom of movement during the first five years of your stay. After five years of residence with the right to freedom of movement, EU citizens are granted permanent residence status (Daueraufenthaltsrecht), which is independent of any further requirements.

2. You are in prison

However, they may be deprived of the right of freedom of movement, in particular due to criminal offences. For this purpose, a so-called loss assessment (Verlustfeststellung) must be made, for which the threshold is higher than for the expulsion of other foreign nationals. The criminal conviction alone is not sufficient for a loss assessment. It must be assessed on a case-by-case basis whether you represent a present, genuine and sufficiently serious threat, affecting a fundamental interest of society. If you have been entitled to freedom of movement for at least five years, the threshold for a loss assessment is even higher. There must be serious grounds based on public order or public safety affecting a fundamental interest of society; after ten years, there must even be compelling grounds based on public safety. However, these terms are very vague. You should thus seek advice on the best way to proceed in your case.

Specifics regarding your residence status and the possibility of deporting you may also arise if you or your parents are workers from Turkey and therefore have a residence permit issued under the EEC-Turkey Association Agreement. Your legal position is then, to put it simply, slightly worse than that of EU citizens, but slightly better than that of other foreign nationals.

3. Debts

1. What you can do

It is certainly hard to repay debts from prison, but it is possible. And it will also play an important role in your early release. Please contact the responsible social worker in your prison. Or the offender support or probation service (Straffälligen- oder Bewährungshilfe). Some debt counselling centres also offer their services during office hours in prison. We recommend that you take advantage of the debt counselling services offered by these centres. Get advice on how to reduce your debt. Maybe it is possible, with the financial help of your family members or friends, to pay off the debts in the form of instalments. Or it is possible to make an out-of-court settlement with the people, companies and authorities to whom you owe money. In 1999, the possibility of consumer insolvency proceedings (Verbraucherinsolvenzverfahren) was introduced. This is a legal procedure for private individuals. It should help you to reduce your debt. The process is complicated, but very useful. You must apply for it with the help of a recognized debt counselling service. The information on the following pages should help you avoid new debts during your imprisonment.

Important: We recommend that you seek advice from a contact point for debt counselling.

Reduce expenses

Here are some ways to reduce your expenses. First of all, it is important that your debts do not increase any further. Please see chapter 1 for further advice.

3. Debts

Do you have to pay maintenance for your children or other family members?

During imprisonment, the youth welfare offices often pay an advance. The advance maintenance payments (Unterhaltsvorschuss) are claimed back by the youth welfare offices after imprisonment.

You can apply to pay less maintenance during imprisonment. To do so, you must submit an application for amendment due to a change in the legal basis, under section 323 of the Code of Civil Procedure (“Antrag auf Abänderung wegen Änderung der Rechtsgrundlage nach § 323 Zivilprozessordnung”). The application must be submitted to the family court (Familiengericht) in the place where the child is resident.

- Has the youth welfare office (Jugendamt) paid the maintenance so far? Then you need to inform the Jugendamt.
- Were you convicted because you did not meet your maintenance obligations? Then you cannot pay less during imprisonment.

Listing your debts

We recommend that as a first step, you list your debts. This will give you an overview of the amount of debt you have.

It is hard to organize everything from prison. Hence, ask family members to help you with this and contact your creditors. Creditors are people or companies to whom you owe money. Ask your creditors to send you a list of your debts. Check the list to see if it is complete and correct.

Debt due to imprisonment: Current account/bank loans

Usually, you can overdraw your current account by a certain amount. This means: The bank gives you a small loan, but you pay high interest rates for it. After imprisonment, regular payments are often no longer made into a

current account. Then the bank can cancel the current account. You then need to pay back all your debts and interest immediately. This could get expensive. We recommend that you inform the bank in writing about your imprisonment, so you can avoid these problems.

Debt related to the offence: Damages for pain and suffering and compensation

The insurance companies first pay for the damage caused by your crime. These are, for example:

- the household insurance
- the fire insurance
- the health insurance

Later, however, the insurance company turns to you with a corresponding claim, that is: they want the money back. First check whether the claim is justified. You can do this with the help of a table for damages for pain and suffering (Schmerzensgeldtabelle). Such tables are available free of charge on the internet: www.schmerzensgeldtabelle.net. You can also ask the police for a damage report (Schadensprotokoll). Is the claim justified? Then write to the insurance company stating that you are ready to pay the claim.

Important: However, in doing so you also acknowledge your guilt.

Debts resulting from the trial: Court costs

Normally, the convicted person has to pay the costs of the legal proceedings and the costs of the participants in the trial. But that must be explicitly stated in the judgement. The court cashier then demands payment of the costs from the convicted person. If you have high debts, you can apply to the court cashier to cancel your debts ("Niederschlagung der Schuld"). This means: Due to your insolvency, you apply for the costs to be waived. The

3. Debts

reasons for such an application include, for example, high maintenance payments or compensation payments to the victim.

Debts resulting from the trial: Fines

It may be that you are unable to pay a fine. In this case, the fine is substituted by a prison sentence (Ersatzfreiheitsstrafe) and you have to go to prison for a certain time. The duration of this imprisonment in lieu of a fine depends on the number of daily rates. If you are already imprisoned, your term will be extended, also by the number of daily rates. The number of daily rates is stated in the judgment.

In some states, such a prison sentence in lieu of a fine may be converted into community service (gemeinnützige Arbeit).

Community service is work that benefits the general public. For example:

- Renovation of schools or day-care centres for children
- Maintenance of public green spaces
- Collecting garbage

Find out from social service workers or offender support workers what options you have for avoiding an Ersatzfreiheitsstrafe (e.g. through instalment payments, community service, help with financial matters instead of a prison sentence / Geldverwaltung statt Ersatzfreiheitsstrafe).

Preparation for release

Did you begin to pay your debts while in prison? In that case, you should contact a debt counselling centre or offender support centre at your future place of residence before your release. This will avoid delaying your debt reduction.

After imprisonment, you may be eligible for Hartz IV (see chapter 5.2.). Debt reduction can then also be part of a so-called integration agreement

(Eingliederungsvereinbarung) with the job centre (Jobcentre). An integration agreement is a kind of contract with the job centre. Together with the job centre you determine what you need to do to find work (see also chapter 5.2.). The job centre can then pay for the costs of consumer insolvency (Verbraucherinsolvenz), which means an individual's inability to pay. This would be a benefit for your integration into work (Leistung zur Eingliederung in Arbeit) under section 16a of Book II of the Social Security Code, since your debts reduce your chances of finding a job.

2. Help with over-indebtedness

Over-indebtedness (Überschuldung) means: You are so heavily in debt that you cannot handle this situation on your own.

We recommend that you contact a debt counselling centre (Schuldnerberatungsstelle). Counselling is usually free. Make an appointment as soon as possible.

Telephone numbers of Schuldnerberatungsstellen can be found in the telephone book. Addresses of counselling centres can also be found in the following guidebooks. You can order these books. If no price is indicated, the book is free.

Guidebooks:

Schulden und Inhaftierung

A brochure for prisoners who are in debt or overindebted. (February 2017)

Publisher:

Stiftung »Resozialisierungsfonds für Straffällige« in und für Hessen

Download on the internet at:

www.resofonds-hessen.de/schulden-inhaftierung/

Schulden abbauen – Schulden vermeiden

Publisher: Presse- und Informationsamt der Bundesregierung

Publikationsversand der Bundesregierung

Postfach 48 10 09

18132 Rostock

Telephone: 030 182722721

The book can also be downloaded from the internet:

<https://tinyurl.com/SchuldenA-SV>

As on: 1st May 2018 (10th edition)

Pfändungsfreigrenzen für Arbeitseinkommen

Tabelle der unpfändbaren Beträge bei Arbeitseinkommen

Publisher: Bundesministerium der Justiz und für Verbraucherschutz

Publikationsversand der Bundesregierung

Postfach 48 10 09

18132 Rostock

Telephone: 030 182722721

The book can also be downloaded from the internet: www.bmjv.de

As on: July 2017

Restschuldbefreiung – eine Chance für redliche Schuldner

An overview of consumer insolvency proceedings and residual debt discharge under the Insolvency Code (Publisher: Bundesministerium der Justiz)

The book can currently only be downloaded from the internet (version: 1 January 2019) <https://tinyurl.com/restschuldenbefreiung>

Publikationsversand der Bundesregierung

Postfach 48 10 09

18132 Rostock

Telephone: 030 182722721

Account seizure protection (Kontopfändungsschutz) through P-account (P-Konto)

In a normal current account, there is no protection against a seizure. Protection against a seizure exists only in a P-account (seizure protection account). You can request, however, that your current account should be kept as a P-account. A credit balance of up to € 1,178.59 per calendar month is then automatically protected against seizure (as on 1 September 2019). This basic seizure protection (Basispfändungsschutz) may also be higher. That depends on the situation of the account holder. The protection is higher if the account holder pays maintenance to other people, receives child support or receives social benefits for these persons. A certificate to increase basic seizure protection can be obtained from debt counselling services, insolvency advice centres, (Insolvenzberatungsstellen) of the family fund (Familienkasse), a social insurance provider (above all job centre), lawyers or tax consultants.

Detailed information on seizure protection and the P-account can also be found in the »Ratgeber Schulden abbauen – Schulden vermeiden« guidebook.

Rehabilitation funds (Resozialisierungsfonds)

There are so-called Resozialisierungsfonds in some federal states. They provide financial assistance to former prisoners, so that they can pay their debts.

You can submit an application to the Resozialisierungsfonds.

You have to meet certain requirements.

As a debtor, you need to repay your debts to the Resozialisierungsfonds in regular instalments. Information about the rehabilitation funds is available from the prison's social services, debt counselling centres and offender's assistance centres.

Contact and further information:

Baden-Württemberg

Stiftung »Resozialisierungsfonds Dr.
Traugott Bender«

Postfach 10 34 61

70029 Stuttgart

Tel.: 0711 2792173

reso@justiz.bwl.de

www.resofonds-bw.de

Bremen

Verein Bremische

Straffälligenbetreuung

Faulenstraße 48 – 52

28195 Bremen

Tel.: 0421 7929314

vbs@straffaelligenhilfe-bremen.de

www.straffaelligenhilfe-bremen.de

Bavaria

Bayerischer Landesverband
für Gefangenenfürsorge und
Bewährungshilfe e. V.

Schlierseestr. 3

81541 München

Tel.: 089 6903845

info@baylgb.de

www.baylgb.de

Hamburg

Stiftung Schuldenregulierungsfonds

Hamburger Fürsorgeverein von

1948 e.V.

Max-Brauer-Allee 138

22765 Hamburg

Tel.: 040 300337520

www.hamburger-fuersorgeverein.

de

Berlin

Stiftung Gustav Radbruch

Salzburger Str. 21 – 25

10825 Berlin

Tel.: 030 9013–3582–3656

poststelle@sozjdj.berlin.de

Hesse

Stiftung Resozialisierungsfonds für

Straffällige

Luisenstr. 13

65185 Wiesbaden

Tel.: 0611 322611

info@resofonds-hessen.de

www.resofonds-hessen.de

Lower Saxony

Stiftung »Die Brücke –
Eingliederungswerk Hannover«
Hindenburg Str. 12

30175 Hannover

Tel.: 0511 454344
www.bruecke-stiftung.de/

Caritas Haus

Resohelp Hameln
Ostertorwall 6

31785 Hameln

Tel.: 05151 43820
resohelp.hameln@t-online.de

Rhineland-Palatinate

Stiftung Entschuldungshilfe
Ernst.-Ludwig-Str. 3

55116 Mainz

Tel.: 06131 164886 oder 164889
post@justiz.rlp.de
www.justiz.rlp.de

Saarland

Kath. Gefangenen- und
Entlassenen-Fürsorgeverein im
Saarland e. V.

Knappschaftsplatz 3

66111 Saarbrücken

Tel.: 0681-42608

Saxony

Sächsischer Landesverband für
soziale Rechtspflege
Dresdner Str. 2

02625 Bautzen

slv.sozialer@t-online.de

Saxony-Anhalt

Landesverband Straffälligen- und
Bewährungshilfe e. V.

Keplerstr. 9/9a

39104 Magdeburg

Schleswig-Holstein

Stiftung Straffälligenhilfe Schleswig-
Holstein

Ringstr. 76

24103 Kiel

Tel.: 0431 2005668
stiftung@straffaelligenhilfe-sh.de

4. Before release from prison

Prepare for your release as soon as possible. All the penal laws of the Länder provide for relaxations (Lockerungen) to prepare for release, if required. However, the decision is up to the institution itself. The institution will decide whether you will be granted relaxations. As part of these relaxations, you can go about getting important papers or being registered as unemployed if you have been working regularly during your time in prison and if you have no prospect of employment after release. (Please refer to chapter 5 for more information) If you have any questions or problems in preparing your release, please contact the prison social services. You can also ask the offenders support services for help.

If you are released early from prison, a probation officer (Bewährungshelfer) will usually be assigned to you for the next few years. You will receive support from them, but you will also have to keep in regular contact. After a successful probationary period, you will be released from your remaining prison sentence.

Important papers

Residence permit (Aufenthaltstitel), certificate of temporary suspension of deportation (Duldung) and similar documents

Has your residence permit expired? Then you must apply for an extension. This must generally be done before it expires. If you submit the application in good time, you will receive a temporary residence permit (Fiktionsbescheinigung) until a decision has been made on your application. The Fiktionsbescheinigung replaces a residence permit on a temporary basis and must be accepted everywhere in the same way. If you

have not applied for an extension during your detention, you must explain to the immigration office why this was not possible or not appropriate. Even if the immigration authorities intend to deport you, they must at least issue you with a Duldung until then. You should also ask the staff of the prison's Social Services Department for help.

Tax identification number

As of 2013, you do not need a wage tax card (Lohnsteuerkarte) to take up a job. Employers forward the necessary information directly to the tax office. Your employer needs the following information:

- Your date of birth
- Your tax identification number (IdNr)
- The information whether you want to work full-time or part-time.

Take your tax identification number with you to the JVA. Your ID number can be found on your income tax notice (Einkommenssteuerbescheid), on your income tax certificate (Lohnsteuerbescheinigung) or in information letters from the tax office. If you cannot find it in the above-mentioned documents, you can request your tax identification number again using the input form on the website of the Federal Central Tax Office (Bundeszentralamt für Steuern, <https://preview.tinyurl.com/IdNr-anfordern>). It will then be sent to you by letter. Alternatively, you can request your ID number from the Federal Central Tax Office. You must provide your name, address, date and place of birth.

4. Before release from prison

Bundeszentralamt für Steuern

Main office: Bonn-Beuel An der Kuppe 1

53225 Bonn

Tel.: 0228 4061240

Office hours: Monday to Friday: 8:00 a.m. – 4:00 p.m.

info@identifikationsmerkmal.de

www.bzst.de

Social security card (Sozialversicherungsausweis)

Every employee needs a Sozialversicherungsausweis. Don't have a Sozialversicherungsausweis? Then please apply for it from the German Pension Insurance (Deutsche Rentenversicherung Bund) (address in chapter 1.4.). You can also get the card from your health insurance provider. You need this information for the application:

- Name
- First name
- Date of birth
- Place of birth
- Address
- Pension insurance number

Health insurance

At the end of your imprisonment, health care (Gesundheitsfürsorge) is no longer provided by the prison. You need to take care of your health insurance yourself. This is best done already during imprisonment. Every statutory health insurance company is obliged to accept you, if you were covered by health insurance or not insured at all prior to imprisonment. As soon as you are covered by health insurance, you will automatically also be covered by statutory long-term care insurance.

Entitlement to unemployment benefits after release

If you receive unemployment benefits, your contributions towards the health insurance scheme will be paid by the employment agency (Please refer to chapter 5.1.).

Entitlement to SGB-II benefits (Hartz IV) after release

If you receive SGB-II benefits, your contributions to the health insurance scheme will be paid by the employment agency (Please refer to chapter 5.2.).

Applying for basic income support (Grundsicherung) according to SGB XII at the Sozialamt after release

As part of the Grundsicherung, your contributions towards the health insurance scheme or to private health insurance will be paid by the Sozialamt.

Note on private health insurance when receiving benefits

Privately insured persons only need to pay half the basic rate (Basistarif) of private health insurance. Both the Jobcentre and the Sozialamt have to take over these contributions in full.

Laufende Leistungen der Sozialhilfe according to the Third, Fourth, Sixth or Seventh Chapter of the Sozialgesetzbuch XII or benefits under the Asylbewerberleistungsgesetz (AsylbLG)

- People who apply for laufende Leistungen der Sozialhilfe before release or on the day of release will receive assistance under Sozialhilfe in the case of illness.
- For people who apply for laufende Leistungen der Sozialhilfe only after the day of release from prison, the statutory health insurance is responsible. Subsequently, the social assistance agency will provide a

4. Before release from prison

regular cost-of-living allowance (laufende Hilfe zum Lebensunterhalt) and you continue to be a member of the statutory health insurance. The contribution to the statutory health insurance scheme is then taken over by the Sozialamt.

Note on (compulsory) insurance

Persons released from prison are also entitled to compulsory insurance from the health insurance companies. If health insurance companies refuse to voluntarily continue to insure ex-prisoners, they are violating the law. Please seek advice on your health insurance options from the social workers at the JVA or the employees of the non-governmental offender support (Freie Straffälligenhilfe).

Permit for subsidised housing (Wohnberechtigungsschein)

With a Wohnberechtigungsschein (WBS) you can rent a cheap apartment. The requirement for this is that your income is below a certain limit. These limits are different in individual federal states. You can apply for the WBS at the Housing Office (Wohnungsamt). And in the place where you are released from prison.

You need the following documents for the application:

- Your certificate of imprisonment (Haftbescheinigung)
- Your earnings certificate (Verdienstbescheinigung)

The Wohnberechtigungsschein is valid throughout Germany for one year. You can ask a prison social worker to help you complete the forms correctly.

Certificate of employment

Did you work before imprisonment and did you have compulsory insurance? Then you will need a work certificate (Arbeitsbescheinigung)

from your previous employer. The form can be obtained from the Agentur für Arbeit. Send the form to your previous employer. Ask your employer to return the completed form to you.

Certificates

Certificates are important when applying for a job. Make sure you have all your certificates! Are you lacking diplomas from school? Then ask for a copy of your certificate from the school's secretary. Are you missing a certificate of professional qualification? Then contact the Industrie- und Handelskammer, in the district you completed the vocational training.

Driver's license

Has your driving license been revoked during criminal proceedings? Then you can normally apply for it again only after your release. If you are serving a sentence in a non-confinement facility, you can apply for a driver's license while you are still in prison. This usually requires a medical and psychological examination (MPU) to determine whether you are able to drive a motor vehicle. You will have to pay a fee for the examination. For information on whether and when such an appraisal has to be prepared and how much it costs, please contact the Road Traffic Office (Straßenverkehrsamt)

- Your last place of residence
- At the location of the prison

5. After release

Do you want to register as a jobseeker after you are released from prison? Or are you unable to work because of illness or disability? In both cases, you are entitled to financial assistance from the state, which is also called social benefits (Sozialleistungen). The amount of financial assistance depends on different conditions. This also applies to the time during which it is paid. The following pages briefly describe the services and their conditions. But we recommend that you get detailed personal advice from:

- an offender's assistance centre (Freie Straffälligenhilfe)
- a counselling centre for the unemployed
- independent social counselling centre
- a refugee advice centre
- general social counselling

When claiming social benefits, there is a ranking in Germany. This means that the social benefits you are entitled to are checked according to this ranking. It starts with the highest benefit.

- First, it will be checked whether you are eligible for unemployment benefit (Arbeitslosengeld). Are you not entitled to unemployment benefit?
- Then it will be checked whether you are eligible for Arbeitslosengeld II (Hartz IV).
- Perhaps you cannot work because of illness or disability. Anyone who cannot work for more than 3 hours a day for these reasons is not capable of working. You are then entitled to Sozialhilfe.
- If you belong to the group of persons entitled to benefits according to the Asylbewerberleistungsgesetz then you must apply for these benefits instead of applying for Arbeitslosengeld II or Sozialhilfe.

1. Arbeitslosengeld I and registering as a jobseeker (arbeits-suchend)

Did you work regularly during imprisonment? Then, under certain conditions, you are entitled to Arbeitslosengeld. To inform the employees at the Agentur für Arbeit about this, you should contact the employment counsellor there 3 months before the end of your employment. (www.arbeitsagentur.de). You can register as a jobseeker either in person, by phone at 0800 4555500 or online. The Agentur für Arbeit at your future place of residence is responsible.

If you have not found a job by the time you are released, go to the Agentur für Arbeit personally on the day of release to apply for Arbeitslosengeld.

Important: You will receive Arbeitslosengeld only from the day on which you registered as unemployed.

Pre-requisites for the payment of Arbeitslosengeld:

- You must have been insured for at least 12 months in the last 2 years prior to your application. Your work in prison is considered as insurable employment. The prison issues you a certificate of employment stating the periods of compulsory (versicherungspflichtigen Zeiten). Compulsory insurance periods are all days for which you have been paid. These are the working days and the paid holidays.
- Since 1st August 2016, the following is applicable: Non-working Saturdays, Sundays and holidays in an uninterrupted phase of work or training will be considered as subject to compulsory insurance. This does not apply to holidays, Saturdays and Sundays before 1st August 2016. Also, the periods when you did not work because of illness will not be taken into account.

5. After release

You can only get Arbeitslosengeld I if you are available for the labour market. You must be able to actually accept an offered job. One requirement is to have an employment permit (Arbeitserlaubnis) (§ 138 Para. 5 No. 1 SGB III).

EU citizens and their family members entitled to freedom of movement as well as Turkish citizens who have a right of residence under the EEC-Turkey Association Agreement (§ 4 (5) AufenthG) and holders of a settlement permit may pursue any kind of work without further ado. If you have a residence permit, your residence or settlement permit (Aufenthaltserlaubnis or Niederlassungserlaubnis) states that you are allowed to work or what restrictions apply.

If you have a residence permit, you are not allowed to work within the first three months (§ 61 (2) Asylgesetz). If you are obliged to live in a reception centre (Aufnahmeeinrichtung) after your release, you may not work as long as you have to live there (§ 61 AsylG), unless there is an exception. Such an exception exists, for example, if the asylum proceedings take longer than nine months, if the Bundesagentur für Arbeit has given its approval or if such approval is not required. Then you are entitled to a work permit (Beschäftigungserlaubnis) issued by the immigration office.

You may be required to live in such a reception centre on a permanent basis if, for example, you have applied for asylum but you come from a so-called “safe country of origin” (“sicheren Herkunftsstaat”, currently: Albania, Bosnia-Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal, Serbia, see Annex II of § 29 A AsylG). Even if you as a person from a “safe country of origin” should not (any longer) be obliged to live in a reception centre, you are not allowed to work during asylum proceedings if you have submitted your asylum application after 31/8/2015. You may

also have to live in a reception centre if you have submitted an asylum application which was not your first but a follow-up asylum application, or if you have at some point been misled in connection with the asylum procedure, or if you have been expelled for serious reasons of public safety, which can happen as a result of criminal offences (§ 30 a AsylG). In all these cases you will not receive an employment permit.

If you have a Duldung, you are also not allowed to work within the first three months (§ 32 Para. 1 Beschäftigungsverordnung). However, according to § 84, paragraph 2, sentence 2 of the AufenthG, you may also work during the first three months of toleration if

- you were granted a Duldung after your release and before that you had a residence permit with which you were allowed to work
- you have lodged an objection or appeal against an expulsion order on which no decision has yet been taken.

However, you are subject to a complete ban on working during the period of a Duldung if you come from a “safe country of origin” and have submitted an asylum application after 31/8/2015, which was rejected. You are also completely prohibited from taking up work if you are responsible for the fact that you cannot be deported (§ 60 a Para. 6 AufenthG), for example because you refuse to obtain a passport although it would be reasonable for you to obtain one. Otherwise, the immigration office can grant you an employment permit if you have had the Duldung for at least six months (§ 61 Para. 1 Sent. 3 AsylG).

You are also not allowed to work if you only have a Duldung for persons with an unknown identity (§ 60b AufenthG).

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Duration of unemployment benefits (Arbeitslosengeld)

That depends on:

- Your insurable employment before unemployment. You must have worked at least 1 year without interruptions
- Your age

The following table gives you an overview:

Insurable employment period within the last 5 years, of which at least 12 months within the last 2 years	Age	Entitlement to Arbeitslosengeld
12 months		6 months
16 months		8 months
20 months		10 months
24 months		12 months
30 months	from 50 years	15 months
36 months	from 55 years	18 months
48 months	from 58 years	24 months

Amount of Arbeitslosengeld

The basis for calculating your Arbeitslosengeld is your gross salary in the assessment period (Bemessungszeitraum). The assessment period is 2 years prior to submitting your application. However, the salary for your work in

custody will not be taken as a basis. Did you work for at least 150 days as a salaried employee in the last 2 years before you were imprisoned? Then your salary from this employment can be taken as a basis for calculation. Is this not applicable to you? Then you will be classified on the basis of your education and the jobs that are suitable for you.

Were you employed outside the prison as an inmate permitted to leave prison during the day? Then the salary you received there is a basis for your unemployment benefit.

Insurance schemes

If you are unemployed, the employment agency will pay your contributions to the following insurance schemes:

- Statutory health insurance (compulsory insurance). If you were privately insured prior to imprisonment and if you are over 55, there are exceptions. Ask for advice.
- Long-term care insurance
- Pension insurance
- Accident insurance

You need these papers for the application to the employment agency:

- Discharge certificate (Haftentlassungsschein)
- Certificate of employment of the prison (Arbeitsbescheinigung der JVA)
- ID card or passport
- Valid tax identification number
- Social security card (Sozialversicherungsausweis)
- All certificates of employment
- Registration certificate (Meldebescheinigung) You will receive a Meldebescheinigung from the municipal office (Bürgeramt) at your place of residence. You don't have an apartment? Then submit the

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certificate to a counselling centre through which you can be reached.)
A residence permit (Aufenthaltstitel), a Duldung or an Aufenthaltsgestattung
with an employment permit (Beschäftigungserlaubnis)

Benefits that you can apply for at the Agentur für Arbeit

The Agentur für Arbeit:

- places you into employment,
- pays unemployment benefit under certain conditions (Arbeitslosengeld),
- places you on training or further training programs under certain conditions. There are also financial aids for this.

More details will be provided at the Agentur für Arbeit.

The Agentur für Arbeit can authorize additional benefits. But you have no legal entitlement to these services. The responsible employment counsellor decides this. Also ask your employment counsellor about the following services:

- Application costs
- Travel costs for travelling to job and counselling interviews, travel costs to a training location or workplace in another location
- Travel costs for a certain time for the daily commute between home and work
- Allowance for relocation costs. For example: The place of work is too far away from your new apartment. You cannot travel back and forth every day.
- Allowance for separate housekeeping. For example: Because of a job, you have to temporarily live away from your family at another location (allowance for the first six months of employment)
- Allowance for work clothes or work tools
- A transitional allowance (Übergangsbeihilfe) for the time until the first

full payment of salary

Suspension periods

The employment agency concludes a so-called integration agreement (Eingliederungsvereinbarung) with you. This is a contract. You have to stick to it. Otherwise, the Agentur für Arbeit can order suspension periods. That means: You will not receive Arbeitslosengeld for a certain period of time. In these cases, the Agentur für Arbeit can suspend unemployment benefits:

- You terminate your employment contract yourself.
- You reject a job offer.
- You do not make enough effort to get a job. What is expected of you is in the Eingliederungsvereinbarung.
- You have been invited to an interview at the Agentur für Arbeit. You do not turn up for the appointment. You do not cancel the appointment.

Important: If you missed an appointment, go to the Agentur für Arbeit on the same day. This way, you can avoid a suspension period.

The suspension periods can last between 1 and 12 weeks.

You acted for an important reason

Then a suspension period is not justified. In this case:

- Get advice from an independent body (social advice centres of welfare organisations (Wohlfahrtsverbände) or an association helping the unemployed).
- Oppose the decision. Please note the one-month period within which you must have filed an objection.

If the Arbeitslosengeld is not enough: Housing benefit (Wohngeld) or top-up SGB-II benefits (aufstockende SGB-II-Leistungen)

Make sure you check whether you are entitled to these services:

- Housing benefit: Foreign nationals who receive ALG I can, like Germans, receive Wohngeld, unless they live as asylum seekers in a reception centre.
- Top-up SGB-II benefits: Top-up benefits are benefits topping up other income or benefits. However, not all foreign nationals can get SGB-II benefits (see below).
- Top-up benefits under the Asylbewerberleistungsgesetz: If you cannot get ALG II, but benefits according to the AsylbLG, you can also get them as a top-up. You can find out below whether you are subject to SGB II or the AsylbLG.

Important: The benefits are always granted from the month of the application.

You cannot claim both the (Wohngeld and top-up benefits) at the same time.

We recommend that you:

- apply for SGB-II benefits at the job centre or the authority responsible for the AsylbLG immediately. However, you should check beforehand whether it would damage your right of residence if you were to receive this benefit, because your Aufenthaltserlaubnis is conditional on you securing your own livelihood.
- At the same time, ask them to check whether your entitlement to Wohngeld, which could possibly be combined with a Kinderzuschlag, is higher.

You will then receive benefits from the job centres until it is determined how much the Wohngeld is. Is the Wohngeld higher than the top-up benefit? Then you will be paid back the difference. And in future you will get the higher Wohngeld.

Have you already been advised? And do you know that your Wohngeld claim is higher than the benefits under the SGB II or AsylbLG? Then of course you only apply for Wohngeld.

In case of emergency: Contact the job centre first. The job centre processes applications faster than the Sozialamt.

Example:

After your release in 2019, you live in Cologne. You receive unemployment benefit of 728.40 euros. For the apartment you have rented, you have to pay 500 euros including the additional costs (without heating). In addition, the heating costs are 50 euros. You will then have just 178.40 euros to live on. Of course, this is not sufficient. Therefore, you should definitely apply for Wohngeld or additionally for SGB-II benefits. Housing benefit would be 193 euros in this case. The job centre would give you 275.60 euros.

Important: If you came directly out of prison and received bridging aid (Überbrückungsgeld), then you should check the following and seek advice.

In the case of Wohngeld, the Überbrückungsgeld is not counted. This is different for benefits under SGB II. Therefore, it can be better for you to apply for Wohngeld.

Even if you receive Wohngeld, you can apply for and receive initial payment (Erstausstattung) from the job centre. However, if you have been provided with an initial payment, the Überbrückungsgeld will again be taken into account as income. Your initial payment allowance may be reduced as a result.

2. Unemployment benefit II (Arbeitslosengeld II/ Hartz IV)

The regulations for this benefit are set out in the Sozialgesetzbuch II (SGB II) where it is referred to as “Grundsicherung für Arbeitssuchende” (basic income support for jobseekers). It is also called Hartz IV.

In general, the following is applicable:

- You submit the application to the responsible job centre.
- Ask for a written confirmation that the application has arrived.
- Provide the job centre with all necessary documents as quickly as possible. Often, the job centre will only then start working on your application. Ask for a receipt of the documents so that you can later prove that you have submitted them.
- If your documents are only available in your native language or if you do not have sufficient German language skills to communicate with the authority, the job centre must provide a translation. However, this only applies to EU citizens, persons from Switzerland, Iceland, Liechtenstein, Norway as well as stateless persons and refugees residing in an EU Member State and their family members and survivors (Verordnung zur Koordinierung der Systeme der Sozialen Sicherheit EWG No. 883/2004). For all other groups of persons, the job centre must accept foreign-language documents from you if it is able to understand them itself or to have them translated in a simple way (§ 19 Para. 2 S. 1 SGB X).
- If you cannot get documents quickly: Inform the job centre immediately. The job centre can then provisionally grant and pay the benefits. The job centre is not allowed to leave your application unprocessed in this case. If necessary, contact the Social Court for an “immediate action procedure” (Eilrechtsschutzverfahren).
- Important: You will always receive the benefits from the month in which you submit the application and not before the day of your release from

custody.

- Communicate changes in your living conditions immediately. These are, for example, moving, taking up work, moving in or moving away from roommates. Otherwise you will have to pay a fine. Or you may even be sued for fraud.

Pre-requisites

You will get Arbeitslosengeld II (Hartz IV), if you:

- are at least 15 years old,
- have not yet reached the official retirement age (65 plus)
- are able to work,
- are in need of support
- and your so-called “habitual residence” (gewöhnliche Aufenthalt) is in Germany.

Are there problems with the job centre because of your so-called gewöhnliche Aufenthalt in Germany? Then contact a specialist lawyer for migration law or social law.

Foreign nationals entitled to SGB II benefits

Not all foreign nationals are entitled to SGB-II benefits. Whether or not you are entitled depends largely on the legal basis on which you are residing in Germany. The legal basis of your stay can be found on your electronic residence card (Aufenthaltskarte) or on the certificate from the immigration authorities. In the case of EU citizens, there is a certificate only for the right of permanent residence (Daueraufenthaltsrecht). Therefore, the job centre has to check the existence of a right of freedom of movement (Freizügigkeitsrecht) itself.

Foreign nationals with residence permit (Aufenthaltstitel) (especially Aufenthaltserlaubnis, Niederlassungserlaubnis)

If you have an Aufenthaltstitel, you will generally be eligible for benefits under SGB II.

This is not the case, among other things, with an Aufenthaltserlaubnis as per § 23 Para. 1, § 24 or § 25 Para. 4 S. 1 AufenthG or for the purpose of seeking work (§§ 16 Para. 5, 17 Para. 3, 18c AufenthG). In these cases, you are completely excluded from benefits under the SGB II.

In the case of an Aufenthaltserlaubnis according to § 23 Para. 1 + § 24 AufenthG however, this exclusion only applies if this Aufenthaltserlaubnis contains the addition: “because of the war in the home country”.

In the case of an Aufenthaltserlaubnis as per § 25 Para. 5 AufenthG you are only excluded from benefits according to SGB II during the 18 months after you were granted a temporary suspension of deportation for the first time (Duldungserteilung). It’s about the Duldung that you had before you were granted the residence permit.

For holders of an Aufenthaltserlaubnis according to § 23 Para. 1, § 24 or § 25 Para. 4 Sent. 1 AufenthG, who cannot receive benefits according to SGB II, the entitlement to social security benefits is based on the Asylbewerberleistungsgesetz (see below).

However, this only applies during the first 18 months of your Duldung or Aufenthaltsgestattung, after which you will generally receive benefits under SGB XII (social assistance, see below), provided that you do not merely have a Duldung “for persons with unknown identity” according to § 60b AufenthG.

Temporary suspension of deportation, permission to remain pending the asylum decision

Your entitlement to benefits is based on the Asylbewerberleistungsgesetz

(AsylbLG). You must apply for these benefits with the competent authority in the federal state (Bundesland) where you live, e.g. the Social Welfare Office (Sozialamt). Even if you go to the wrong authority, this authority has the duty to forward you to the correct authority (§ 16 Para. 2 SGB I).

EU citizens (nationals of a member state of the European Union)

As an EU citizen, you are entitled to free movement (freizügigkeitsberechtigt), if the immigration authorities have not determined that you have lost your right to free movement (Freizügigkeitsrecht). A certificate stating your Freizügigkeitsrecht is not necessary because it applies in any case. EU citizens may be excluded from SGB-II benefits. Whether this is the case depends on the legal basis on which you are staying as an EU citizen in Germany.

The following have an unquestionable claim to benefits under SGB II:

- EU citizens with a permanent residence status (Daueraufenthaltsrecht) under § 4 a of the Freizügigkeitsgesetz (FreizügG/EU). The Daueraufenthaltsrecht usually arises after five years of freizügigkeitsberechtigten residence in Germany, e.g. if you have been here for five years as an employed or self-employed person or as a family member of a working EU citizen. In this case, the receipt of ALG II cannot have a negative effect on your entitlement to stay in the Federal Republic of Germany.
- You are also entitled to benefits under SGB II, if you have had your habitual residence (gewöhnlichen Aufenthalt) (see above) in the Federal territory for at least five years. You must provide proof of this by means of an official registration certificate (Meldebestätigung). However, this entitlement does not exist if you have been deprived of your right to free movement (Freizügigkeitsrecht) by the immigration authorities. In addition, without a permanent residence status (Daueraufenthaltsrecht)

the receipt of excessive social benefits may negatively affect your stay. Although this can only happen when “excessive” social benefits are being received, it is not clearly defined what this means.

- Employees and their family members are entitled to (top-up) benefits under SGB II ((aufstockende) Leistungen nach SGB II). The receipt of these benefits will not adversely affect your stay. You can be considered an employee even if you only work for about 5 hours per week and earn at least €175.00 per month. Even if you do not meet these requirements, you should go to a counselling centre. You may still be eligible for benefits under SGB II.
- Self-employed persons and their family members are entitled to (top-up) benefits under SGB II. Also, in this case, the receipt of benefits will not adversely affect your stay. Also in the case of self-employment, you only need to work to the small extent mentioned for employees. You do not need to have made any profits yet, but you actually have to be self-employed. Merely registering a business is not enough.
- Apprentices in vocational training: If you are in company training, you may be able to obtain a vocational training allowance (Berufsausbildungsbeihilfe in short BAB) (see below). If your training pay (Ausbildungsentgelt) and the BAB are not enough to cover your livelihood, you and your family members are entitled to a benefit top-up under SGB II. Again, the receipt of the benefits must not be held unfavourably for your stay.
- Family members of one of the EU citizens mentioned here are equally entitled to benefits according to SGB II. You are a family member if you are a spouse of an EU citizen; if you are the offspring (child, grandchild, great-grandchild) of an EU citizen and are under 21 years old. If you are over the age of 21 and if you are a child, grandchild, or (grand)parent of an EU citizen, from whom after your release from prison you receive maintenance of more than approximately €200 per month, you are

also considered a family member. In the opinion of some courts, this should only apply if the EU citizen has already supported you before your entry into the Federal Republic of Germany. However, there are also courts of law which consider it sufficient if maintenance is currently being paid to you. Even if you are the parent of a minor EU citizen whom you are caring for, you can still be considered a family member and be entitled to SGB-II benefits. However, it is often not easy to answer the question of whether a claim for benefits exists. You are advised to contact a counselling centre or a lawyer specialising in social law.

However, you are excluded from benefits under SGB II if you belong to one of the following groups:

- If you are not gainfully employed and do not have sufficient means of subsistence and health insurance cover or are a family member of such an EU citizen. As soon as the immigration authorities have formally established the loss of your freedom of movement (Verlustfeststellung according to § 5 (4) FreizügG/EU) and the deadline for departure has expired, you are obliged to leave the country and receive benefits according to the AsylbLG upon application.
- If you have been denied the right to freedom of movement (EU-Freizügigkeitsrecht) by the immigration authorities, e.g. due to criminal offences (according to § 6 (1) FreizügG/EU) and the decision that you are denied this right (Verlustfeststellung) (see above) is final. Since you are obliged to leave the country, you will receive benefits according to the AsylbLG.
- If the sole purpose of your stay in Germany is to look for work. In this case you will usually not receive benefits according to the AsylbLG. If you are an Austrian citizen and are staying in the Federal Republic solely for the purpose of seeking work, you are not affected by this and

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receive regular benefits in accordance with SGB II.

- If you are a member of the family of an EU citizen who is staying in Germany solely for the purpose of looking for work. In this case, you will not normally receive benefits according to the AsylbLG either.
- If your right of residence derives exclusively from Article 10 of Verordnung (EU) No. 492/2011. This is the case if you (or your partner) come from a member state of the EU, have once been employed in the Federal Republic of Germany and your (joint) child is currently attending school or completing vocational training or studies. Both you and the child and the mother or father of the child then have a right of residence under this regulation.

Exclusions from entitlement are very controversial. If you think the job centre has incorrectly assessed your status, you should contact a counselling centre or a lawyer specialising in social law.

Meaning of employable

You are employable if your health allows you to work for at least 3 hours daily. Are you not sure if this applies to you? We recommend that you: Tick that you are fit for work in the SGB-II-application.

- In your first meeting tell the employment counsellor that you are not sure whether you are fit for work.
- The job centre will then have your health checked by the medical services of the Employment Agency.
- Are you classified as unable to work? Then you are entitled to benefits according to SGB XII. (Also read chapter 2 in this book).

Meaning of in need of support

Do you not have enough money to secure your livelihood and the livelihood of the people who live with you? Then you are in need of support. Often

it is difficult to judge for yourself whether you are in need of assistance under the Social Security Code II (Sozialgesetzbuch II). We recommend that you always apply for SGB-II-benefits if you are not sure.

Top-up SGB-II benefits (Aufstockende SGB-II-Leistungen)

Aufstockende SGB-II benefits are additional benefits to other incomes or benefits. Are you doing an apprenticeship that is paid for by the employment agency? Since 1 August 2016, additional SGB-II benefits are also possible in this case. Beneficiaries of the AsylbLG are also eligible for supplementary benefits.

Important: You will always receive benefits from the month of the application. The job centre does not pay for the months prior to the application.

There are no additional SGB II benefits if you get one of these benefits:

- Social assistance
- Grundsicherung im Alter (Basic security in old age)
- a permanent pension for reduced earning capacity (Erwerbsminderung)

Bedarfsgemeinschaft

Is your money not enough for your livelihood and the other people living with you and with whom you keep house? This is called a Bedarfsgemeinschaft in the SGB II. The benefits paid out under SGB II are aimed at closing the gap between the existing income and your needs. It covers the needs of all persons living in a Bedarfsgemeinschaft.

Bedarfsgemeinschaften are for example:

- Spouses
- Parents and unmarried children under 15 years
- A parent and his/her unmarried child under the age of 15. Children

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under the age of 15 are entitled to social benefits according to SGB II. Children aged 15 to 25 have their own claim to Arbeitslosengeld II.

- Partners of a registered civil partnership (eingetragenen Lebenspartnerschaft). But the partners must not live separately.
- Partners of a marriage-like community
- Partners of a partnership-like community

For married partners, the income and assets of the partner are automatically taken into account.

In the case of unmarried partners, however, it is checked whether the partners form a so-called committed union (Einstandsgemeinschaft). This means: The partners also care for each other financially. They use their incomes and assets to help each other. If the job centre thinks that you live in such a union, the partner's income is taken into account in the calculation. This reduces your own SGB-II benefits. If the job centre is wrong in thinking that you live in an Einstandsgemeinschaft, you can file an objection.

Crediting your own income

Do you have your own income? Certain allowances (Freibeträge) apply. These amounts are not deducted from your income.

- Is your monthly income below 450 euros? Then 100 euros and 20 percent of the amount exceeding this amount remain free. Example: With a monthly income of 300 euros, 140 euros remain free. (100 euros + 20 percent of 200 euros = 140 euros)

Important: If you have a mini-job, we recommend that you never have yourself exempted from the obligation to pay contributions to the pension insurance. The small amount you would earn more is fully taken into account by the job centre. You will then have just as much without being covered by the pension insurance. The periods covered by the pension

insurance can be very important later.

- Is your monthly income over 450 euros? Then 100 euros will also be free. Note: Tell the job centre if you have additional costs associated with your work. (Travel expenses, car insurance, work clothes). These expenses will then be taken into account in the calculation. You also have the additional allowance (weiterer Freibetrag), which is calculated as a percentage of your gross income. The additional allowance is calculated automatically. If your gross income and net income are correct in the notice, the tax allowance is also correct. You therefore only need to check whether the amounts have been entered correctly.

Do your children have their own income? This income is only taken into account for the children.

Important: Do you have to pay maintenance?

- The officially determined maintenance (by so-called maintenance title) (Unterhaltstitel) is deducted from the income.

Get detailed advice, for example:

- an offender's assistance centre (Freie Straffälligenhilfe)
- through a counselling centre for the unemployed
- debt counselling
- or an independent social counselling centre.

Offsetting of Bridging Aid (Überbrückungsgeld) against ALG II since 1st August 2016

The Überbrückungsgeld is aimed at helping you to secure your livelihood during the first 4 weeks after your release from prison, which means you should not be left without money. (See also chapter 2). The Überbrückungsgeld will be paid out on the day of your release from prison. It will always be counted as income if you are simultaneously receiving

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benefits under SGB II (HartzIV).

Do you apply for SGB II benefits in the calendar month of release? Then the Überbrückungsgeld will be offset against the income.

Do you apply for SGB II benefits in the month following your release? Then the Überbrückungsgeld will not be counted according to current legislation. However, you are not covered by health insurance and have to insure yourself.

The maximum amount to be taken into account for the crediting of the Überbrückungsgeld is never more than the amount needed by the released prisoner during the 28 days after release. The needs of other family members are not taken into account.

Important: The offsetting of the Überbrückungsgeld can no longer lead to a situation where the entitlement to SGB II benefits is completely lost for one month. In these cases, the Überbrückungsgeld will be credited evenly over the next 6 months.

Example:

Mr. K. is single and will be released on August 15, 2019. He will receive an Überbrückungsgeld of 600 euros. For the room he rents, he has to pay 326 euros per month including all incidental rental costs and heating. How is the Überbrückungsgeld credited?

Result: The amount of money he needs for 28 days is calculated. This is the maximum amount that can be taken into account if the Überbrückungsgeld exceeds the amount required for 28 days. The standard rate of Mr. K. is 424 euros (in 2019). The standard rate is a lump sum for regular livelihood expenses: for example, food, household equipment, personal care, clothing. The cost of the accommodation is also paid with 326 euros. The total is 750 euros. This is divided by 30 (no matter how many days the month actually has). $750 \text{ euros} / 30 \text{ days} = 25 \text{ euros}$ (daily requirement). In the case of Mr. K., the 28-day requirement is then $28 \times 25 \text{ euros} = 700$

euros. Since the Überbrückungsgeld is lower than the 28-day requirement, it is fully credited. However, it will be credited over 6 months.

Why?

In August, Mr. K. has only a 17 day entitlement to SGB-II benefits, i.e. $17 \times 25 = 425$ euros. If the Überbrückungsgeld of 600 euros was fully credited in the month of August, Mr. K. would not be entitled to SGB-II benefits in August. He would then not have health insurance via the job centre.

Result: For this reason, the Überbrückungsgeld is spread evenly over a period of 6 months.

Special features in Saxony

Since the Überbrückungsgeld in Saxony can be used for integration even before the release from prison, there is no need for it to be disbursed in cases where an entitlement to SGB II benefits already exists. The consideration of Überbrückungsgeld as income received simultaneously with the SGB-II benefit can thus be prevented.

Crediting of assets

Assets is another word for property. This means, above all, the possession of money (for example, in bank accounts), but also other goods such as cars, flats, valuable jewellery and so on. There are also certain allowances for assets, which means that up to a certain amount the existing money is not credited against the amount of the SGB-II benefit. If your assets exceed the limit, you will not receive SGB-II benefits. If your assets are lower, you will receive the standard benefit. Assets that are not counted are also called assets exempt from income testing (Schonvermögen).

The assets exempt from income testing:

- You are entitled to an exempt amount of 150 euros per year of life.
- It is at least 3,100 euros regardless of age.

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- In addition, 750 euros for necessary purchases for each member of the Bedarfsgemeinschaft is considered as Schonvermögen.
- Every working person living in the Bedarfsgemeinschaft may own a car worth up to €7,500. It is therefore part of the Schonvermögen.
- Your own house or apartment is part of the Schonvermögen, if you use it yourself.
- There are special allowances for old-age provision.

We recommend that you obtain detailed advice from a counselling centre for the unemployed or from an independent social counselling centre.

SGB II: Difference between regular and one-time benefits

The benefits under SGB II are divided into regular benefits (laufende Leistungen) and one-time benefits (einmalige Leistungen).

Regular benefits

The laufenden Leistungen include the benefits aimed at covering daily living expenses. These are the expenses for food, household equipment, personal care and clothing. These needs are called the standard needs (Regelbedarf). The amount paid out is the standard rate (Regelsatz). The benefits are paid as a lump sum at the end of the month for the following month. The laufende Kosten also include the cost of the apartment. These are rent, incidental rental costs and heating costs.

Important: Are you already living in an apartment before you submit the application? Then the job centre has to pay the actual costs in full for 6 months. Are you renting a new apartment only after you have submitted the application? Then the job centre judges whether the apartment is adequate. The job centre pays the cost of an apartment only up to a certain level. Therefore, submit the tenancy agreement to the job centre before

you sign it. In some cases, the job centre will also refund the removal costs. But the job centre must confirm this in **writing**. The same applies to a loan that you have to take up for a tenancy security deposit (Kautionsdarlehen). **Important:** You must apply for both before you sign the tenancy agreement.

Regular additional needs (Laufende Mehrbedarfe)

In addition to the Regelbedarf, certain groups of people are entitled to higher benefits. This also means Mehrbedarf. There is Mehrbedarf:

- for single parents
- for pregnant women
- in the case of decentralised hot water supply in the apartment. This is, for example, a flow heater.
- for people with disabilities, when you attend a work-related activity.
- for people with disabilities with “G” in the disability card.
- for illness-related, expensive nutrition.

Important: You must provide the relevant information in the application. Further “special requirements” can be found in Annex BB to the main request.

For example

- Travel expenses for meetings with your separated children (right of access)
- Travel expenses due to the substitution of drugs (methadone program)
- Hygiene products in HIV disease

Benefits for education and participation

You can apply for certain benefits for your children. These benefits are paid in addition to the standard requirement.

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For example, for:

- School trips
- Sports courses
- Music lessons

Requirements are:

- Your children are under 25 years old and
- The children attend a school.

Are you under 25 years old and attending a school? Then you can apply for the benefits for yourself.

Important: As of August 2019, only benefits for tutoring have to be applied for separately. You will receive all other benefits for education and participation if you receive SGB-II benefits. You only have to inform the job centre if you need the benefit. Retroactively, you can only receive education and participation benefits for your children for the current and previous calendar year. The condition for this is that you were then in receipt of benefits under SGB II.

One-time benefits

The job centre pays certain one-time benefits, for example for:

- finding accommodation
- new furniture and household items
- new clothing

Important: You always have to apply for the benefit before you buy it. This is no longer possible later.

For these benefits, the authorities differentiate between initial payment

(Erstausstattung) and replacement procurement (Ersatzbeschaffung). The reason for initial payment must be a drastic event. This includes the loss of the facility during imprisonment. For initial payment, a subsidy will be paid. For replacement purchases, a loan will be paid. The loan reduces the subsequent benefits. Every month, 10 percent of the regular requirement is credited.

If the job centre rejects the initial payment and approves a loan instead: Take the loan. You can then object to the decision.

Rental debts or electricity debts

Are you eligible for SGB-II benefits? Then the job centre can also pay unpaid rent if the apartment is secured permanently.

Submit an application to the job centre. This benefit is usually only available as a loan. This means: You have to pay the money back. Requirements:

- You are at risk of losing a reasonable apartment
- or the electricity supplier is threatening to cut your supply.

Are you not eligible for SGB-II benefits? Then the social welfare office (Sozialamt) can pay the unpaid rent. The Sozialamt also gives this benefit as a loan. In many large cities there are also specialised agencies that help prevent homelessness. They can give you advice. Or visit an independent welfare association counselling centre.

Benefits for integration into the labour market (Eingliederung in den Arbeitsmarkt)

The job centre not only pays towards your livelihood. It also pays benefits for integration into the labour market. The job centre will draw up a contract with you. This is the integration agreement (Eingliederungsvereinbarung).

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The job centre offers many different kinds of assistance. They range from assistance with applications to paying for retraining. Other aids have nothing to do with starting a job. You can also make use of these aids. For example:

- Debt counselling
- Psychosocial counselling
- Addiction counselling

We recommend that you prepare yourself well for the interview. Ask directly what your job centre has to offer. Even if you do not agree with all of the job centre suggestions: Try to find a common path with the employment agency. An Eingliederungsvereinbarung is only valid for 6 months. You do not necessarily have to sign the agreement if you disagree with the measures. However, the job centre may oblige you to take part in an action.

Important: Be sure to comply with your obligations under the agreement. Failure to do so can lead to “penalties”. A penalty is a punishment. Until the ruling of the Federal Constitutional Court (Bundesverfassungsgericht) on 05/11/2019, the rule has been that you will then receive much less money. Currently the law provides for the following regulations:

- If you do not comply for the first time, the Regelbedarf will be cut by 30 percent.
- The second time within a year, it is reduced by 60 percent.
- The third time the benefit is completely cancelled. Even the contributions to the health insurance.
- The penalties are valid for 3 months.

For people under the age of 25, even heavier penalties apply under the

current legal framework. As early as the second infringement within a year, the benefit is completely cancelled. These penalties are also valid for 3 months. If you do not attend an arranged appointment (for example, a career counselling, information event or appointment), ALG II will be cut by 10 percent. The penalty is also valid for 3 months.

Important: On 5 November 2019, the Federal Constitutional Court (Bundesverfassungsgericht) ruled that the legal regulations on sanctions are unconstitutional in their current form. Legislators must now amend them. Until this change is made, the following applies:

- If you fail to comply with the agreements for the first time, the Regelbedarf will be cut by 30 percent.
- If you fail to comply with the agreements for the second or third time within a year, the job centre may only reduce the standard requirement by a maximum of 30 percent in each case. Higher reductions are no longer permitted.
- In the case of all sanctions, the job centre may refrain from imposing them if this would result in exceptional hardship for you.
- Should you comply with the obligation you have breached before the end of the three months, the job centre can resume full benefits from that date. The reduction may not last longer than one month from this date.

Even though the Federal Constitutional Court has not ruled on sanctions for those under 25 years old, these principles also apply to these persons.

What you can do in the event of a penalty?

Was there an important reason for your behaviour? Do you feel unfairly treated? Then object to the penalty.

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Are you under 25 years old? Then you can request a reduction of the penalty to 6 weeks.

It is not yet possible to say with certainty how things will continue after the ruling of the Federal Constitutional Court (BVerfG) of 05/11/2019. The BVerfG has decided that cooperation duties (Mitwirkungspflichten) and their enforcement by means of reductions in benefits are in principle constitutional. However, the sanction provisions set forth in §§ 31 to 31b of SGB II are partly disproportionate and require revision by legislators. Sanctions for violations of duties of notification (Meldepflichten) are not covered. Until a new statutory regulation comes into force, the BVerfG has ordered the following binding transitional regulation for the sanctioning of cooperation violations (Mitwirkungsverstößen) under § 31 Para. 1 SGB II:

- a) A benefit reduction need not be made if this would lead to exceptional hardship in a specific individual case. In particular, a reduction can be waived if it would contradict the objectives of the SGB II (e.g. reduction of the need for assistance, integration into work).

- b) A reduction due to repeated violations of obligations (§ 31a Para. 1 S. 2 und 3 SGB II) may not exceed 30 percent of the relevant Regelbedarf.

- c) Reductions in benefits may be revoked if the entitled persons subsequently declare their serious and sustained willingness to fulfil their obligations or the cooperation duty has been fulfilled. The reduction may not last longer than one month from this date.

The court explicitly ruled on the violation of cooperation duties of those over 25 years of age. To what extent the principles established by the court will apply to the group of persons under 25 years of age is to be hoped, but has not yet been decided.

If you have any questions, you can also contact the “Sanktionsfrei” association in Berlin.

Health insurance

If you subject to compulsory insurance before imprisonment in a public health insurance scheme: Then contact the health insurance company where you were insured.

- You will then have compulsory health insurance coverage again.
- The job centre requires a membership certificate from the health insurance company. However, you can submit them later.

You were not subject to compulsory insurance before your imprisonment in a public health insurance scheme. The reason for this is: You have not taken care of health insurance coverage.

- Then you still belong to the group of legally required insured persons.
- You are insured by statutory health insurance.

You had private health insurance before prison:

- Speak to the private health insurance company where you were insured before the imprisonment.
- You will then be included in the so-called basic rate. The job centre then pays half the base rate directly to the private health insurance.

3. Social care

Sozialhilfe and Grundsicherung are among the benefits of the Social Security Code XII (twelve) (Sozialgesetzbuch XII)

- You are at least 18 years old, have not reached retirement age and are temporarily unable to work: Those unable to work are those who cannot work for at least 3 hours a day. **Then you are entitled to social assistance (Sozialhilfe).**
- You have reached retirement age and receive only a very small pension or no pension at all? Or are you at least 18 years old and permanently

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unable to work? Those unable to work are those who cannot work for at least 3 hours a day. **Then you are entitled to basic income (Grundsicherung).**

The pension insurance company usually decides on the incapacity (Rentenversicherungsträger). Sometimes the medical services of the Agentur für Arbeit decides.

We recommend that you always apply for benefits at the job centre first. Talk to the employment agency about your health restrictions. You do not have to tell them what diseases you have. The job centre will have your health checked by the medical services of the Agentur für Arbeit.

Foreign nationals entitled to SGB XII benefits

- The following applies as a rule: Foreign nationals who are not in possession of a settlement permit (Niederlassungserlaubnis) or a temporary residence permit (befristetes Aufenthaltserlaubnis) only receive assistance with subsistence, help with illness, help with pregnancy and maternity and help with care. Persons with a settlement permit or a residence permit can also receive integration assistance (Eingliederungshilfe) for disabled people, assistance in overcoming particular social difficulties, assistance in other life situations, preventive health care, assistance with family planning and assistance with sterilisations.
- The same persons are excluded from benefits according to SGB XII as in SGB II, i.e.
 - persons entitled to benefits according to the AsylbLG
 - persons who do not have a right of residence or if their right of residence is derived solely from the purpose of seeking employment

- persons whose right of residence derives exclusively from Article 10 of Verordnung (EU) No 492/2011.
- If you are staying in Germany solely for the purpose of looking for work or if you have a right to freedom of movement (Freizügigkeitsrecht) under Article 10 of Verordnung 492/2011 (and are therefore excluded from benefits under SGB II), you are entitled to benefits under SGB XII if you come from one of the following countries: Belgium, Denmark, Estonia, France, Greece, Great Britain, Ireland, Iceland, Italy, Luxembourg, Malta, Netherlands, Norway, Portugal, Sweden, Spain or Turkey. If you come from one of these states, it is often difficult to assert a claim for benefits under SGB XII. For this reason, you should definitely contact an appropriate counselling centre or seek legal assistance. This also applies if you could work for more than three hours per week and therefore would actually fall under SGB II.
- If you fall under any of the groups mentioned above under SGB II who are entitled to Arbeitslosengeld II (ALG II) you are entitled to Sozialhilfe, if you are not fit for work.
- You may be excluded from SGB XII benefits if the authority assumes that you have only entered the Federal Republic of Germany to receive social benefits. On the other hand, you can file an objection.

Transition benefits (Überbrückungsleistungen)

If you are excluded from services of the SGB XII (and SGB II) for one of the mentioned reasons, you are entitled to the so-called transition benefits (Überbrückungsleistungen). It's all about securing your livelihood until your departure. However, you will only receive benefits reduced to a minimum and this usually only for a period of one month, and this only once in a period of two years. However, to overcome a particular hardship, services must also be provided that go beyond the transition benefits and, if necessary, for a longer period.

Amount of Sozialhilfe

The rules for daily livelihood are very similar to the SGB-II benefits.

One-time benefits

You are also entitled to additional one-time benefits.

For example

- Initial payment for the apartment including appliances. The right to basic equipment is the same as in SGB II (also read chapter 5.2.)
- Initial payment for clothing, also for pregnancy and birth. We recommend that, if you are released from prison, you have yourself certified as lacking clothing. Then you can apply for it at the social welfare office (Sozialamt).
- Purchase and repair of orthopaedic shoes
- Repairs of therapeutic equipment and kit as well as the rental of therapeutic equipment
- Costs for multi-day school trips or excursions
- Additional benefits for the education and participation for your children
- For purchases, the Sozialamt can give you a loan. You have to pay it back in monthly instalments. Instead of money, the Sozialamt can also grant benefits in kind, for example from the used furniture warehouse.

Important: Always apply for the benefit before you buy. The costs will not be reimbursed at a later date.

Additional Benefits

You can apply for additional benefits under the Sozialhilfe or Grundsicherung benefits. For this you must fulfil the requirements. These benefits are Contributions to health and pension insurance

- Accommodation and heating (accommodation must be adequate: Adequate means in particular, it must not be too big.) (Read more in chapter 5.2.).

- Charges for additional demand
 - for people after reaching retirement age
 - for fully disabled persons before reaching retirement age, who can prove that they have a severely handicapped ID marked “G”
 - for pregnant women and single parents
 - for people with disabilities who receive certain integration aids
 - for expensive medical expenses
 - for hot water preparation by means of electricity
 - Assumption of contributions for old-age provision and contributions for a death benefit insurance (Sterbegeldversicherung)

Are you at risk of losing your apartment? Then depending on what support you receive from (Hartz IV or Sozialhilfe), the job centre or the Sozialamt can pay the rental debt. This cash benefit can also be granted as a loan. In this case, it must be paid back.

Help in special situations (Hilfe in besonderen Lebenslagen)

In personal emergencies you can get additional help from the Sozialamt. This option is given in the Sozialgesetzbuch XII, chapter eight. For example:

- Cost of accommodation in a therapeutic residential group
- Help with housing and job search through a counselling centre

Obligation to carry out activities

Despite being disabled, the law provides that you may be required to perform certain activities in order to earn income (§ 11 Para. 3 SGB XII). However, the work must be deemed reasonable (Para. 4).

The reasonableness of such work is severely limited, for example, by illness, disability or raising children.

4. Foreign nationals entitled to benefits under the Asylum Seekers Benefits Act (Asylbewerberleistungsgesetz, AsylbLG)

If you belong to the group of persons mentioned in § 1 AsylbLG, you are not entitled to benefits according to the SGB II or SGB XII, but you get AsylbLG benefits (which has some disadvantages).

Those entitled to benefits according to AsylbLG are:

- Asylum seekers
- Persons with a residence permit only if the residence permit has been issued according to one of the following paragraphs (this is written on your residence permit): § 24, § 25 Para. 4 S. 1 AufenthG.
 - With a residence permit according to § 23 Para. 1 AufenthG you fall under the AsylbLG only if it contains the addition: “because of the war in the homeland”.
 - With a residence permit according to § 25 Para. 5 AufenthG you fall under the AsylbLG only if 18 months have lapsed since the first grant of acquiescence (Duldungserteilung). It is about the Duldung, that you had prior to this residence permit.
 - With another type of residence permit, you will receive benefits under the SGB II or SGB XII if the other requirements are met and the claim is not excluded for the above reasons.
- Owner of a Duldung
- Persons who are legally obliged to leave the country; this includes:
 - Persons who are not (no longer) in possession of a required residence permit (visa, Aufenthaltserlaubnis, Niederlassungserlaubnis) or an Aufenthaltsgestattung and therefore have to leave the country, but have not yet been deported
 - Persons whose application for asylum has been rejected but who

have not yet left or been deported

- Persons detained pending deportation
- Persons who are in the Federal Republic of Germany illegally without an acquiescence certificate (Duldungsbescheinigung)
- Whether EU citizens who have been found to have lost their right to freedom of movement (Freizügigkeitsrecht) are also obliged to leave the country is highly controversial. If you are an EU citizen and you have been deprived of your right of freedom of movement, you should contact a counselling centre or a lawyer specialising in social law.
- Spouses and minor children of the above persons
- Persons who have submitted an asylum application (Asylfolgeantrag) or a confirmatory application (Zweit Antrag)

For the following persons, benefits under AsylbLG may be restricted, i.e. reduced:

In the case of persons who are obligated to leave the country and for whom a date of departure and a possibility of departure have been fixed, but who do not leave the country on that date, whereby the authorities consider it to be the fault of the person concerned that the departure did not take place. These persons will only receive benefits for food, accommodation and heating as well as personal and health care. The costs of medical services for the treatment of acute illnesses and pain will also continue to be covered. In exceptional cases, the authorities will also pay for other services in individual cases. The same applies to persons who are enforceably obliged to leave the country and persons with a Duldungsbescheinigung as well as their minor children and spouses, in respect of whom the authority assumes that it is their fault that the deportation cannot take place. In cases in which, in the view of the authorities, deportation cannot take place for reasons for which they themselves are responsible, a Duldung “for

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persons with an unknown identity” pursuant to § 60b AufenthG will now be granted. As a rule, the requirements for this Duldung also constitute the preconditions for a restriction, i.e. reduction of benefits under the AsylbLG to the above-mentioned minimum requirement. Roughly speaking, they should then only be given enough to survive so that they can take advantage of the next departure date or be motivated to quickly create the conditions for departure themselves. This restriction shall apply as soon as the prerequisites for the Duldung according to § 60b are met and not only when it is granted.

- In the case of persons with a Duldung and persons who are enforceably obliged to leave the country as well as the spouses and minor children of these two groups of persons who are accused of having come to Germany primarily because they wanted to receive benefits under the AsylbLG. They also receive only the limited benefits mentioned above. In the case of asylum seekers and follow-up asylum applicants who do not present or hand over their passport or passport replacement to the Bundesamt für Migration und Flüchtlinge or
- fail to present or hand over to the Bundesamt für Migration und Flüchtlinge any other documents or certificates in their possession, or
- do not arrive on the date given to them by the responsible branch office of the Bundesamt für Migration und Flüchtlinge for filing the asylum application, or
- refuse to provide information on their identity or nationality in the asylum proceedings.
- In these cases, only benefits for food, accommodation and heating as well as personal and health care are paid; the costs of medical services for the treatment of acute illnesses and painful conditions are also covered.
- Persons who receive benefits under the AsylbLG, are able to work and are no longer required to attend school, are not in gainful employment

and refuse a job opportunity offered by the authorities. They must, however, have been informed in advance of their obligation to accept this work opportunity.

- In the case of persons who receive benefits under the AsylbLG,
- are over 18 years of age and no longer of school age and refuse or abandon a refugee integration measure assigned to them by the authority. This limitation of benefits does not apply to asylum seekers from a safe country of origin, persons with a Duldung and persons who are enforceably obliged to leave the country without a Duldung.
- In the case of persons who receive benefits under the AsylbLG, who are fit for work, who are over 18 years of age and no longer required to attend school and who do not take part in an integration course that the authorities have obliged them to attend or who do not attend the integration course properly.
- In the case of persons staying outside the area to which their stay is geographically restricted. They only receive travel aid for returning to the place where they have to live.

The following applies to all restrictions on benefits: They may only be applied by the authorities for six months, unless the persons concerned continue to breach their obligations.

Important: However, the aforementioned restrictions may only be imposed if the persons concerned are responsible for the breach of the aforementioned obligations or if there is no good reason for their conduct. These benefit restrictions are highly controversial and many courts consider them unconstitutional. If your benefits under the AsylbLG are reduced for one of these reasons, it is urgent that you contact a counselling centre and appeal against the reduction. If necessary, you may have to defend yourself against the reduction in benefits by filing a complaint and an urgent appeal to the competent social court.

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In addition, you should seek advice beforehand if you are granted a Duldung according to § 60b AufenthG, as a reduction of benefits is then inevitable.

Important: Persons who are obliged to leave the country and who have already been granted refugee status by another EU member state or who have been granted subsidiary protection there are not entitled to regular benefits under the AsylbLG. They only receive so-called Überbrückungsleistungen for two weeks and only once within two years. The Überbrückungsleistungen exclusively include benefits for food, accommodation and heating, personal hygiene and health care as well as the assumption of costs for medical services to treat acute illnesses and pain. This also applies in this case: To overcome particular hardships, other benefits or Überbrückungsleistungen must also be granted over a longer period of time.

5. Education and studies

Even if you start (initial) training after release from prison, you may still be entitled to social benefits. A distinction must be made between vocational training and school education or studies.

Vocational training

If you start in-company or external vocational training in a recognised skilled occupation and the training allowance (Ausbildungsentgelt) is not sufficient to cover your living expenses, you can apply for a vocational training allowance (Berufsausbildungsbeihilfe, or BAB) according to § 56 SGB III.

School education or studies

If, after release from prison, you wish to attend a (vocational) school (from the 10th grade), complete school education or study at a university, benefits under the Federal Training Assistance Act

(Bundesausbildungsförderungsgesetz, or BAföG) are possible.

Important: If you receive educational support (Ausbildungsförderung) under the BAföG while you are studying, you will only receive one half as a grant. You must pay back the other half after your studies.

Important: As a rule, persons undergoing training that is eligible for support under BAföG/BAB are excluded from benefits under SGB II and SGB XII. However, there are many exceptions.

Foreign nationals who are entitled to BAföG benefits

Specifically, you are entitled to BAföG benefits:

- if you are an EU citizen with a permanent residence permit (Daueraufenthaltsrecht) according to § 4a FreizügG/EU;
- if you are the spouse or child (also over 21 years of age) of an EU citizen who is in Germany as an employee, trainee, job seeker, self-employed person or as a provider or recipient of services and you live with him or her. However, if your family member is a non-employed person, you must have sufficient health insurance cover and other means of subsistence;
- if you are an EU citizen and have been employed during the period of detention in an occupation related to the content of your training;
- if you come from Iceland, Norway, Liechtenstein or Switzerland and fulfil one of the aforementioned conditions;
- if you have a Niederlassungserlaubnis;
- if you have a permit for permanent residence in the EU according to § 9a AufenthG;
- if you have your usual place of residence in Germany, have been recognised abroad as a refugee and are not only temporarily entitled to stay in the Federal Republic of Germany;

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- if you have a residence permit (Aufenthaltserlaubnis) in accordance with one of the following regulations (indicated on your electronic Aufenthaltstitel):
 - § 22 AufenthG
 - § 23 Para. 1, 2 or 4 AufenthG
 - § 23a AufenthG
 - § 25 Para. 1 or 2 AufenthG
 - § 25a AufenthG
 - § 25b AufenthG
 - § 28 AufenthG
 - § 37 AufenthG
 - § 38 Para. 1 Nummer 2
 - § 104a AufenthG
 - § 30 AufenthG
- if you have been a lawful, permitted or tolerated (geduldet) resident in Germany for at least 15 months without interruption and have a residence permit (Aufenthaltserlaubnis) in accordance with one of the following regulations:
 - § 25 Para. 3, Para. 4 Sent. 2 or Para. 5 AufenthG
 - § 31 AufenthG
 - § 30 or §§ 32 to 34 AufenthG as spouse or child of a foreign national with an Aufenthaltserlaubnis
- if you are the spouse or child of a foreign national who has a Niederlassungserlaubnis and has a Aufenthaltserlaubnis in accordance with § 30 or §§ 32 to 34 AufenthG
- if you have a Duldung and your permanent residence in Germany and have been a lawful, permitted or tolerated resident of the Federal Republic of Germany for at least 15 months without interruption; however, BAB is only paid for in-company training in the first six years;
- if you have been legally employed in Germany for five years;

You are also entitled to benefits under BAföG if you are an EU citizen and are employed or self-employed in addition to your studies.

Persons who are in asylum proceedings and have an Aufenthaltsgestattung are generally not entitled to benefits under BAföG. The same applies to persons with a Duldung in the first 15 months (see above). Should you nevertheless be entitled to benefits as an exception, the following information also applies to you. If necessary, you can then apply for top-up (aufstockende) benefits according to the AsylbLG.

Benefits that can be applied for during school education or studies, if you are not (yet) eligible for BAföG

- Persons with an Aufenthaltsgestattung or a Duldung can
 - apply for top-up benefits according to § 3 AsylbLG during the first 18 months of their stay in Germany;
 - apply for so-called analogous benefits (Analogleistungen) according to § 2 AsylbLG from the 19th month of their stay; however, for persons with an Aufenthaltsgestattung, it is at the discretion of the competent authority to grant the benefits in whole or in part as a loan; there are also some restrictions for persons with a Duldung.
- Persons who would in principle be entitled to benefits according to SGB II can receive SGB II benefits despite the exclusion for trainees if
 - they are not entitled to Schüler-BAföG (BAföG for pupils) only because they live with their parents;
 - they have submitted an application for BAföG benefits, but no decision has yet been made;
 - they are attending evening school classes (Abendhauptschule, Abendrealschule or Abendgymnasium), they are already over 30 years old and therefore do not receive BAföG;
 - they do not receive any benefits under BAföG because they have

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exceeded the age limit (30 years for a Bachelor's degree, 35 years for a Master's degree), but the training is absolutely necessary for integration into working life and, without the provision of benefits for subsistence under SGB II, there is a risk that the training will be discontinued; in this case, benefits must be provided as a grant.

- Persons who would in principle be entitled to benefits in accordance with SGB XII can apply for SGB XII benefits despite the exclusion for trainees even if
 - they are not entitled to Schüler-BAföG (BAföG for pupils) only because they live with their parents;
 - they are attending evening school classes (Abendhauptschule, Abendrealschule or Abendgymnasium), they are already over 30 years old and therefore do not receive BAföG;

Foreign nationals who are entitled to Berufsausbildungsbeihilfe (BAB)

For in-company training commenced after 31/12/2019, or for applications for the approval of BAB submitted after this date, you are generally entitled to BAB if

- you live outside the household of your parents or one of your parents, and
- you cannot reach the training site from the home of your parents or one of your parents within a reasonable time (about two hours).

The condition that the training site cannot be reached in a reasonable time does not have to be fulfilled if you

- are 18 years of age or older,
- are married or in a civil partnership,
- live with a child, or
- do not need to be relegated to the home of the parents or one of the parents for serious social reasons (especially if you are at risk of

physical, mental or psychological harm in the parental home)

In summary, this means that in almost all cases the approval of BAB for in-company training courses requires that you no longer live with your parents. The only exception in this regard is for persons who have a disability (§ 116 Para. 3 SGB III). In the case of minors, the fact that they are living separately from their parents must also be justified by one of the above-mentioned constellations. However, it applies equally to all persons that their entire living costs cannot be covered in some other way, for example by the training salary earned. Therefore, if your own means of subsistence, travel costs and other expenses, e.g. for work clothes or the care of your own child, are sufficient, you are not entitled to BAB.

Supplementary requirements apply to persons who have a Duldung:

If you have a Duldung, even if the above conditions are met, you are only entitled to a claim if you have also been allowed, permitted or tolerated to stay in the Federal Republic of Germany for at least 15 months without interruption.

On the other hand, persons who have an Aufenthaltsgestattung are completely excluded:

If you have an Aufenthaltsgestattung and you did not begin your education or training until after 31/12/2019, or you have not yet submitted an application for an approval from BAB at that time, you are not entitled to receive BAB benefits under any circumstances.

However, it is possible for you to apply for (top-up) benefits under § 3 AsylbLG during the first 18 months of your stay in the Federal Republic of Germany. The same applies to persons who have a Duldung and have not yet been allowed, permitted or tolerated to stay in the federal territory for

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15 months without interruption (see above).

From the 19th month onwards, you can then apply for so-called analogous benefits (Analogieleistungen) according to § 2 AsylbLG.

In all cases, you are entitled to these benefits provided that the education is eligible for support “based on its merits”. This is the case if the above requirements are actually met, but the approval by BAB is nevertheless ruled out because you have an Aufenthaltsgestattung or a Duldung without the corresponding period of residence (15 months).

If you have an Aufenthaltsgestattung and are already receiving BAB benefits, your entitlement will continue to be valid even beyond 31/12/2019 until the end of your training period.

Important: The conditions for obtaining BAB benefits have changed significantly as a result of the Foreign Employment Promotion Act (Ausländerbeschäftigungsförderungsgesetz) in August 2019. If you have not yet received any of the above benefits, we recommend that you check/apply again!

6. Professional Re-entry

The Agentur für Arbeit should support your professional re-entry (beruflichen Wiedereinstieg). If you do not receive unemployment benefits from the Agentur then the job centre is responsible. Your personal path to re-entry is determined in the Eingliederungsvereinbarung. The Eingliederungsvereinbarung at the Agentur für Arbeit (SGB III) is not fundamentally different from the agreement in SGB II. (Read chapter 5.) We recommend that you clarify the individual measures with your local employment agency. Discuss your ideas and wishes. Information on re-

employment can also be found on the website of the Agentur für Arbeit (<https://www.arbeitsagentur.de/karriere-und-weiterbildung/beruf-wechseln>).

7. Information options

Consulting Minijob

Minijob-Zentrale Service-Center

45115 Essen

Tel.: 0355 290270799 (fixed line tariffs)

Mo.-Fr.: 07:00 to 17:00

minijob@minijob-zentrale.de

www.minijob-zentrale.de

Internet

www.tacheles-sozialhilfe.de

The Unemployment and Social Assistance Association Tacheles e. V. was founded and built by those affected. The founders were unemployed themselves. The aim of the association is to encourage people to help themselves. In addition, the association works as an advocacy to the communities and politics. People in distress need to be helped with words and deeds. On the Tacheles website you will find up-to-date information and an address list of unemployed initiatives, independent counselling centres and lawyers: www.my-sozialberatung.de.

Contact:

Tacheles e. V. Erwerbslosen- und Sozialhilfeverein

Rudolfstr. 125,

42285 Wuppertal

Tel: 0202 318441

Personal consulting: Wednesday, Thursday from 9:00 am

Telephonic consulting: Thursdays from 14:00 to 17:00

5. After release

www.agtuwas.de

The AGTUWAS is a working group of students of the Department of Social Work of the University of Applied Sciences Frankfurt am Main. As part of their studies, they advise people on social welfare issues and the ALG II.

Contact: AWO-Pavillon (in Innenhof)

Eichwaldstr. 71

60385 Frankfurt

Tel.: 069 499551

Telephone and personal advice:

Thursdays from 09:00 to 12:00

Guidebooks:

Information material of the Bundesagentur für Arbeit

For the Agentur für Arbeit and Arbeitslosengeld and Arbeitslosengeld II you will find a number of booklets (small books) at the Bundesagentur für Arbeit (BA).

A fee of 2.50 euro has to be paid for shipping. Leaflets informing recipients of benefits and duties in several languages cost nothing and are sent free of charge.

How to order:

Telephone orders: 0180 1002699-01 (3.9 cents/min. landline)

Ordering on the Internet (online shop): <http://tinyurl.com/MerkblaetterBA>

In the online shop you will find information about the contents of the brochures, the target group as well as prices and shipping costs. Many leaflets can be downloaded free of charge on the internet as a PDF.

Leitfaden für Arbeitslose – Der Rechtsratgeber zum SGB III (Guide for the Unemployed – The Legal Guide to SGB III)

(34th edition, August 2018)

Publisher: Arbeitslosenprojekt TuWas

(ISBN: 978-3-943787-80-1)

The »Leitfaden für Arbeitslose. Der Rechtsratgeber zum SGB III« is the SGB-III standard work for consultants and benefit recipients.

Price: 21 euros

Order through book shops.

Leitfaden zum Arbeitslosengeld II – Der Rechtsratgeber zum SGB II (Guide to Unemployment Benefit II - The Legal Advisor to the SGB II)

(14th edition, December 2019)

Publisher: Arbeitslosenprojekt TuWas

The book is a comprehensive, systematic guide to unemployment benefits II.

Target group: Consultants and persons with basic knowledge of social matters.

Price: 25 euros

Order through book shops.

Unterkunfts- und Heizkosten nach dem SGB II - Das Handbuch (Accommodation and heating costs according to SGB II - The Handbook)

(5th edition, June 2018)

Herausgeber: Arbeitslosenprojekt TuWas (Hrsg.)

Publisher: Arbeitslosenprojekt TuWas (Hrsg.)

For anyone who has lost their job, the securing of an apartment is often the last stop. Questions about costs of accommodation and heating with reference to HartzIV are therefore particularly urgent. The guide gives a comprehensive overview of the current case law in the latest version of the law.

Price: 25 euros

Order through book shops.

Leitfaden ALG II/Sozialhilfe von A-Z

(30th edition, January 2019)

Autors: Frank Jäger/Harald Thomé, staff of Tacheles e.V.

Guide for Beneficiaries and Consultants, sorted by keyword.

Order at:

DVS

Schumannstr. 51

60325 Frankfurt

info@dvs-buch.de

www.dvs-buch.de Price: 16.50 euros

Order through book shops.

6. Information for family members

When your partner has to go to prison, you may lose important income. This means that you no longer have enough money for yourself and your children and need additional help.

You should then apply for assistance from the job centre or social welfare office for the period during which your partner is imprisoned. Present a certificate of imprisonment (Haftbescheinigung) there, which you can get at the prison. If you also have your own income, check whether you can apply for a housing benefit (Wohngeld), child allowance (Kinderzuschlag) and UVG. Please seek advice on this, e.g. from the General Social Counselling Service.

1. Unemployment benefits II (Arbeitslosengeld II or Hartz IV-benefits), social assistance under Book Twelve of the Social Security Code (Sozialhilfe SGB XII) or benefits under the Asylum Seekers Benefits Act (Asylbewerberleistungsgesetz)

In these cases, you and your family will receive Arbeitslosengeld II from the job centre:

- You are fit for work.
- Your income from work is insufficient or less than you need (calculated by the job centre; top-up ALG II).
- The Arbeitslosengeld is not sufficient (top-up ALG II).
- You are unemployed.
- You are at least 15 years old.
- You have not reached retirement age.

6. Information for family members

There are two exceptions:

- You are at least 18 years old and your earning capacity is fully reduced on a permanent basis (voll erwerbsgemindert). That means you cannot work for a minimum of three hours a day.
- You have reached retirement.

Then you get social welfare according to SGB XII.

For more information on Arbeitslosengeld II and Sozialhilfe, and if you have any claim to it, see chapter 5.

Do you belong to the group of persons entitled to benefits under the Asylbewerberleistungsgesetz (see chapter 5.4.).

If you have been in Germany for 15 months without a major interruption and have not made sure yourself that you cannot be deported, you will receive benefits in the amount of Sozialhilfe according to Book Twelve of the Social Security Code (analogous benefits).

2. Special problem cases

The apartment

After the imprisonment of your partner, the job centre will continue to pay the rent for your apartment in two cases:

- There is no desire to separate (Trennungswillen), that is, you do not want to separate from your partner, but the so-called Bedarfsgemeinschaft (as described in chapter 5.2.) continues to exist and
- The imprisonment period is no more than 2 years.

In these cases, you may want to move to a smaller apartment:

- You want to part with the detainee. That means that the common household no longer exists. Or

- The detention period is longer than 2 years.
- The job centre may pay the removal costs.

These statements do not apply to family members who receive benefits under the Asylbewerberleistungsgesetz or receive so-called analogous benefits (Analogeleistungen) under Book Twelve of the Social Security Code. In this case, look for a social counselling service and let yourself be advised on whether and how the apartment can be kept.

Standard and additional need (Regel- und Mehrbedarf)

- The family members of a detainee are entitled to more money to cover the necessary living expenses. This is called higher standard need.
- As a single parent, you are entitled to more money. This is called additional need.
- For recipients of benefits according to the Asylbewerberleistungsgesetz the following applies: A higher standard need is granted to family members who are single parents or single persons. However, the law does not provide for an additional need for family members who are single parents.
- For recipients of so-called analogous benefits, the following is applicable: Single parents have both a higher standard need and may claim an additional need according to Book Twelve of the Social Security Code.

Health insurance

If you receive benefits according to SGB II, you will continue to be insured. During imprisonment, the detainee receives benefits from the prison. You must clarify your insurance status with the health insurance institution (Krankenkasse) immediately after imprisonment.

If you receive social assistance benefits under SGB XII (cost-of-living assistance or basic benefits for old age and reduced earning capacity),

6. Information for family members

- then the social welfare office pays the contributions for the statutory insurance, if you were previously compulsorily insured, i.e. if you were insured yourself.

If you were previously covered as a family member of your spouse who is now in prison:

- the social welfare office pays the contributions for voluntary further insurance in the statutory health insurance or
- The social welfare office itself is responsible for your health care. That means, the health insurance funds ensure that treatment is provided. Their costs are reimbursed by the social welfare office.

If you receive benefits under the Asylbewerberleistungsgesetz, you are not entitled to membership in the statutory health insurance, but the competent benefit fund will cover the costs for the necessary medical and dental treatment, the supply of medicines and dressings and other services necessary for the recovery, improvement or alleviation of illnesses or their consequences.

If you receive analogous benefits (Analogleistungen) under § 2 AsylbLG, then you are not entitled to membership in the statutory health insurance either, but you are on equal terms with such members. You can assert your claims for health treatment directly against the Krankenkasse. The latter is responsible for your treatment by law.

The Aufenthaltstitel (residence permit)

Did your partner work before being imprisoned and made sure that you and your children had a living, and now the income is gone?

The granting and renewal of many residence permits (Aufenthaltstitel) usually requires that the livelihood of you and your family is secured. If the

immigration authorities learn of the loss of income, they may not renew the Aufenthaltstitel. However, this is at the discretion of the authorities and, in special cases, they may waive the requirement to secure subsistence (Erfordernis der Lebensunterhaltssicherung). In this case, you should seek advice from a counselling centre or a lawyer specialising in migration law.

If you or your children have an Aufenthaltstitel which is dependent on the continued right of residence of your imprisoned partner and if the partner has been deported from custody, it is urgent that you also consult a lawyer specialising in migration law. In this case you may lose your right of residence in the Federal Republic of Germany.

Travel expenses to visit your partner in prison

If you receive benefits under Book Two of the Social Security Code:

Travel costs for visits must be paid by the job centre (Mehrbedarfszuschlag under § 21 Para. 6 SGB II). However, you must keep the costs as low as possible. You must be prepared for longer travel times by public transport if this results in lower costs. You do not have to submit a special application to the job centre. However, you must inform the job centre. To do this, you can use attachment BB ("Besonderer Bedarf") or send an informal letter.

If you receive benefits under Book Twelve of the Social Security Code (or analogous benefits):

- Occasional travel expenses are covered by the social welfare office after a check.
- Regular travel expenses should be covered if they are a significant financial burden.
- Monthly costs in the single-digit euro range (i.e. less than ten euros), this can already be considered significant.

If you receive benefits under the Asylbewerberleistungsgesetz, you can apply for occasional travel expenses to be covered according to Section 6 of the Act.

Travel and visiting hours regulations

In principle, you have the right to regular visits to the prison. The duration of these visits varies from state to state, but you are entitled to at least one hour per month. Further regulations on visiting hours are laid down in the house rules of the respective JVA where you are staying. In some JVAs, for example, there are special regulations for visiting hours for children, so in some cases only natural children have visiting rights. The number and length of these visits is also regulated differently in the JVAs. Please enquire at your JVA about the regulations for visiting hours.

Rent arrears

Under certain conditions, the job centre or the social welfare office will pay your rental debt as a loan. More information can be found in chapter 5.2.

Over-indebtedness (Überschuldung)

If you are in debt and get Hartz IV benefits, the debt reduction can also be part of a so-called integration agreement with the job centre. Please also read the information in Chapter 3.

Account seizure

In a normal current account, there is no protection against a seizure. In this case, seizure means the seizure of financial assets in order to settle outstanding receivables, i.e. debts. Protection against a seizure exists only in a P-account (seizure protection account). However, you can request that your current account be managed as a P-account. Then you will benefit from a basic seizure protection (Basispfändungsschutz). The basic

seizure protection applies to an amount of € 1,178.59 per month which is exempted from seizure (as of 01/09/19). The basic seizure protection is not enough if you need to take care of more than one person. In this case, present two certificates to your bank or savings bank:

- A letter stating the social benefits you receive
- A letter confirming your maintenance obligations

Then the seizure protection is raised, that is, more money is protected from seizure. The letter confirming your maintenance obligations can be obtained free of charge from:

- your employer
- the job centre
- the family fund (Familienkasse)
- a debt counselling centre (information about counselling centres can be found in Chapter 3).

Child benefit (Kindergeld)

If you received child benefit before your family member was imprisoned, you are entitled to child benefit while your family member is in prison. The competent authority is the family fund at the employment agency (Agentur für Arbeit) in your hometown. Please inform the family fund immediately about any changes. For example:

- if you have separated from your partner
- if your address has changed
- if your bank details have changed

Whether you are eligible for child benefit, depends on your residence status.

Which foreign nationals are entitled to child benefit?

- If, as an EU citizen or EU national, you enjoy freedom of movement (freizügigkeitsberechtigt) or come from Iceland, Liechtenstein, Norway or Switzerland. Exceptions exist for EU citizens entitled to freedom of movement in the following cases: For the first three months after entry, if no income is earned from employment or self-employment, you are excluded from child benefit payments.
- If your right of residence exists only for the purpose of seeking work and you have not previously fulfilled any other right of freedom of movement, or if you are not gainfully employed and do not otherwise have sufficient means of subsistence.
- If you are a Turkish citizen and have a right of association under the Association Agreement EEC/Turkey as an employee or family member.
- If you come from Algeria, Bosnia-Herzegovina, Kosovo, Morocco, Montenegro, Serbia or Tunisia and have a job that is subject to compulsory social insurance coverage or receive insurance-based unemployment benefits (Arbeitslosengeld I) or sick benefit.
- If you have a settlement permit (Niederlassungserlaubnis).
- If you have a residence permit (Aufenthaltserlaubnis) that entitles or entitled you to take up gainful employment. This does not apply if you
 - have a residence permit under section 16 or 17 of the Residence Act (Aufenthaltsgesetz),
 - have a residence permit under section 18 (2) of the Residence Act and the approval of the Federal Employment Agency (Bundesagentur für Arbeit) is given only for a certain maximum period, or
 - You have a residence permit under Section 23 (1) of the Residence Act because of a war in your home country or a residence permit under Section 23a, Section 24 or Section 25 (3) to (5) of the Residence Act and have not been in Germany for three

years or are not in gainful employment, receive insurance-based unemployment benefits or are on parental leave (Elternzeit).

- If you have a residence permit under Section 23 (1) of the Residence Act because of a war in your home country or a residence permit under Section 23a, Section 24 or Section 25 (3) to (5) of the Residence Act and have been lawfully residing, permitted or tolerated in Germany for at least three years, working in Germany, have received insurance-based unemployment benefits, or been on Elternzeit.

In any case, when you apply for child benefit, the Family Benefits Office (Familienkasse) will carry out an independent examination of your right to freedom of movement and notify the immigration authorities.

Maintenance advance (Unterhaltsvorschuss)

The maintenance advance is designed to help single parents. You can apply for it at the youth welfare office (Jugendamt, Unterhaltsvorschuss-Stelle) if your spouse does not pay maintenance or in certain cases pays too little maintenance.

It applies to children

- up to the age of 18 years
- who live with a single parent.
- who do not get support from the other parent or receive too little maintenance.
- who live in Germany.

Important: Maintenance advance is paid for children between 12 and 17 years of age only if they do not receive benefits under Book Two of the Social Security Code or if the single parent who is in receipt of such benefits has gross earnings of at least 600 euros per month.

6. Information for family members

You

- must apply for the advance at the responsible youth welfare office.
- must submit a certificate of imprisonment.
- must present your residence permit (Aufenthaltstitel) and a passport copy, if necessary.

Not all foreign nationals are entitled to a maintenance advance (Unterhaltsvorschuss). Approximately the same conditions apply as for child benefit (Kindergeld). . You can find out if you are entitled to claim in chapter 6.2.

The amount of the maintenance advance (Unterhaltsvorschusses) depends on the age of the children. Since 1 July 2019 the monthly amounts are as follows:

- for children from 0 to 5 years 160 euros
- for children from 6 to 11 years 212 euros
- for children from 12 to 17 years 282 euros

The maintenance advance payment office (Unterhaltsvorschusskasse) does not claim back maintenance from the parent responsible for maintenance if he or she is proven to have been unable to pay.

3. Counselling services

Because your partner is imprisoned, you are no longer living together. This is a big stress test for your relationship. Maybe you're thinking about a break-up. Give yourself enough time for a decision. Marriage and family counselling centres can advise you. There are also counselling services in some prisons and at the offender's assistance centre (Freie

Straffälligenhilfe). For example, counselling may be provided by the prison chaplain (Gefängnisseelsorge). The education of children can now become a problem. You can seek help. For example:

- at an education counselling service (Erziehungsberatungsstelle)
- at the youth welfare office (Jugendamt)

Advice on the Internet

You can get online advice by E-mail. The advice is anonymous and fast. Here are the addresses on the internet:

- Deutscher Caritasverband: <http://tinyurl.com/OnlineDCV>
- Evangelischer Beratungsdienst für Frauen/Evangelisches Hilfswerk München gemeinnützige GmbH: <http://www.frauenberatungsdienst-muenchen.de/>
- Social counselling Stuttgart: U-Turn online consulting: www.u-turn.info
- Treffpunkt e. V.: www.treffpunkt-nbg.de/bai/onlineberatung.html

There are also counselling services for children and adolescents.

Here are the addresses on the internet:

- www.besuch-im-gefängnis.de: The Caritas informs about everything you should know about prisons.
- www.juki-online.de: Here, children and young people will find a lot of information. You can also get online advice here.

Exchange with other affected parties:

See www.knast.net for more information. Here you can also ask questions. And chat with other relatives. For example, under the headings “Treffen” and then “Forum für Angehörige” “Fragen” and then “Knast.Net Forum”.

Books and guides:

Alleinerziehend – Tipps und Informationen

Publisher: Verband alleinerziehender Mütter und Väter Bundesverband e. V. (23th edition 2019)

Order option:

Publikationsversand der Bundesregierung

publikationen@bundesregierung.de

Tel.: 030 182722721

The brochure can be ordered free of charge and can also be downloaded as a PDF document on the Internet: <https://tinyurl.com/Ratgeber-alleinerziehend>

Was nun? Mein Mann, Sohn... Meine Frau, Tochter... ist im Knast - Informationen für Angehörige von Inhaftierten

(4th edition 2013)

Publisher:

Kath. Gefängnisverein Düsseldorf e. V.

Kaiserswerther Straße 286

40474 Düsseldorf

Tel.: 0211 444200

gefaengnisverein@gmx.de

The brochure can be downloaded as a PDF document on the internet.

www.gefaengnisverein.de (> Ratgeber)

It contains addresses of the most important state, municipal and private aid offers, in particular for the Düsseldorf area.

Mann im Knast...was nun? (new edition 2017)

(ISBN: 978-3-932168-17-8)

Publisher: Chance e. V. Münster

Friedrich-Ebert-Str. 7/15

48153 Münster

Tel.: 0251 620880

info@chance-muenster.de

The book can be ordered on the Internet or via the bookstore: www.chance-muenster.de

Price: 10 Euros with shipping

The guidebook addresses itself with assistance and information mainly for wives and life partners of detainees.

Mitgefangen. Hilfe für Angehörige von Inhaftierten (1st ed. 2004)

(ISBN 3-86153-338-3)

The book can be ordered through bookstores. Price: 16 Euros

The author was herself active in prison chaplaincy and relatives projects.

She knows the problems on both sides of the prison gates. In many conversations, she has collected experiences of stakeholders and professionals. She shows in the book the possible difficulties in the different prison terms and offers concrete advice on how to cope with it.

Advisory services for affected relatives and children in the individual federal states

Baden-Württemberg

Cocon e. V.
Kaiser-Joseph-Straße 268
79098 Freiburg
Tel.: 01522 1042287
cocon.freiburg@gmx.de
www.cocon-freiburg.de

SKM - Katholischer Verein für
soziale Dienste Freiburg e. V.
Stefan-Meier-Str. 131

79104 Freiburg
Tel.: 0761 2859719
straffaelligenhilfe@t-online.de
www.skm-freiburg.de

SKM Landkreis Karlsruhe
Söternstr. 5

76646 Bruchsal
Tel.: 07251 5056816
info@skm-bruchsal.de
www.skm-bruchsal.de

Bavaria

Staatlich anerkannte
Beratungsstelle für
Schwangerschaftsfragen
Schlossplatz 5
86551 Aichach
Tel.: 08251 92420(-430)
schwangerenberatung@
lra-aic-fdb.de
www.schwanger-in-aic.de

Treffpunkt e. V. - BAI
(Beratungsstelle für Angehörige
von Inhaftierten)
Fürther Str. 212
90429 Nürnberg
Tel.: 0911 2747694
bai@treffpunkt-nbg.de
www.treffpunkt-nbg.de/bai.html

Gemeindejugendwerk Bayern
Lagerstr. 81
82178 Puchheim
Tel.: 089 89009833
info@gjw-bayern.de
www.bayern.gjw.de

Arbeitskreis Resozialisierung

Kraußstr. 5

90443 Nürnberg

Tel.: 0911 37667100

ak-reso@stadtmission-nuernberg.
de

www.ak-reso.de

Beratungsstelle für Straffällige und

Angehörige

Johannes-Traber-Str. 7

86609 Donauwörth

Tel.: 0906 29994920

Caritasverband Weiden-Neustadt/
WN e. V.

Nikolaistr. 6

92637 Weiden i. d. OPf.

Tel.: 0961 389140

Fax: 0961 3891448

www.caritas-weiden.de

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www.INoVIA-berlin.de

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Nazarethkirchstr. 36

13347 Berlin

Tel.: 030 4554031

tamar@skf-berlin.de

www.skf-berlin.de

Bremen

Sozialberatungsstelle für

Straffällige und Angehörige

Verein Bremische

Straffälligenbetreuung

Bahnhofsplatz 29 (Tivoli Hochhaus)

28195 Bremen

Tel.: 0421 36162032

beratung@straffaelligenhilfe-
bremen.de

www.straffaelligenhilfe-Bremen.de

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1948 e. V.

Max-Brauer-Allee 138

22765 Hamburg

Tel.: 040 300337514

Fax: 040 300337528

mail@hamburger-fuersorgeverein.
de www.hamburger-fuersorgeverein.de

Hessen

AFEK e. V. Frankfurt am Main
Gründenseestraße 33

60386 Frankfurt

Tel.: 069 411408

info@afek-ev.de www.afek-ev.de

Perspektivwechsel e.V.

Bäckerweg 11

60316 Frankfurt

Tel.: 069 436766

Fax: 069 449709

info@perspektivwechsel.org
www.perspektivwechsel.org

AKTION - Perspektiven für junge
Menschen und Familien e.V.

Schanzenstraße 18

35390 Gießen

Tel.: 0641 71020

info@aktion-verein.org

www.aktion-verein.org

Lower Saxony

RESOhelp Hagenstr. 36

30161 Hannover

Tel.: 0511 9904020

beratungsstelle@resohelp.de

www.resohelp.de

Angehörigenarbeit der
Evangelischen Gefängnisseelsorge
Herrenhäuser Str. 12

30419 Hannover

Tel.: 0511 179033

www.gefaengnisseelsorge.org

North Rhine-Westfalia

SKF e.V. Bielefeld

Turnerstr. 4

33602 Bielefeld

Tel.: 0521 9619140

Geschaeftsstelle@skf- bielefeld.de

www.skf-bielefeld.de

SKM - Katholischer Verein für

Soziale Dienste in Bielefeld e. V.

Kavalleriestraße 26

33602 Bielefeld

Tel.: 0521 55776120

Fax: 0521 55776125

info@skm-bielefeld.de

www.skm-bielefeld.de

Diakonie für Bielefeld gGmbH

Beratungsstelle Freiräume

Schildescher Str. 101

33611 Bielefeld

Tel.: 0521 98892500

info@diakonie-fuer- bielefeld.de

www.diakonie-fuer-bielefeld.de

Caritasverband für Bochum und
Wattenscheid e.V.

SKM Betreuungsverein und Freie
Straffälligenhilfe

Huestraße 15

44789 Bochum

Tel.: 0234 3070530

Fax: 0234 3070577

E-Mail: info@skm-bochum.de

www.skm-bochum.de

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Hubertusstr. 97

47798 Krefeld

Tel.: 02151 841220

skm@skm-krefeld.de www.skm-
krefeld.de

Kreis 74

Teutoburger Str. 106

33607 Bielefeld

Tel.: 0521 55737811

Fax: 0521 55737820

info@kreis74.de

www.kreis74.de

6. Information for family members

AWO Düsseldorf

Westfalenstr. 38a

40472 Düsseldorf

Tel.: 0211 60025500

Fax: 0211 60025502

markus.schardin@awo-duesseldorf.de

www.awo-duesseldorf.de

AWO Gelsenkirchen - Die Chance

Grenzstr. 47

45881 Gelsenkirchen

Tel: 0209 4094131

Fax: 0209 1778750

info@awo-gelsenkirchen.de

www.awo-gelsenkirchen.de

Gefangenenfürsorge Düsseldorf

Evangelische und katholische

Beratungsstelle für Haftentlassene

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Haftentlassener

Kaiserswerther Straße 286

40474 Düsseldorf

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Fax: 0211 5162491

Gefangenenfuersorge@gmx.de

SKM Köln Straffälligenhilfe

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48153 Münster
Tel.: 0251 620880
Fax: 0251 6208849
info@chance-muenster.de
www.chance-muenster.de

AWO Hagen – Märkischer Kreis
Haus Eckesey
Eckeseyer Str. 85
58089 Hagen
Tel.: 02331 13787
Fax: 02331 181884
haus-eckesey@awo-ha-mk.de
www.awo-ha-mk.de

Rhineland-Palatinate

Mission Menschen in Not e. V.
Oberhombach 1
57537 Wissen
Tel.: 02747 911752
Fax: 02747 911753
office@kinderarmut-in-deutschland.de
www.kinderarmut-in-deutschland.de

Rückenwind e. V.
Hilfe für Angehörige Inhaftierter
Trierer Landstr. 99
54516 Wittlich
Tel.: 06571 1472528
info@rueckenwind-wittlich.de
www.rueckenwind-wittlich.de

Saxony

Stadtmission Zwickau e. V.
Straffälligenhilfe Römerstraße 11
08056 Zwickau
Tel.: 0375 5019113
Fax: 0375 5019112
info@stadtmission-zwickau.de
www.stadtmission-zwickau.de

AWO Kreisverband Chemnitz
Beratungsstelle für Inhaftierte,
Haftentlassene und deren
Angehörige
Wiesenstraße 10
09111 Chemnitz
Tel: 0371 6742627
Fax: 0371 6742625
fsh@awo-chemnitz.de
www.awo-chemnitz.de

6. Information for family members

Pingu-Du
Börnichgasse 3
09111 Chemnitz
Tel.: 0371 4959595
info@pingu-du.de
www.pingu-du.de

Zwergenclub
Kaßbergstr. 36
09112 Chemnitz
Tel.: 0371 4006967
info@familienverein-chemnitz.de
www.familienverein-chemnitz.de

VSR Dresden
Karlsruher Str. 36
01189 Dresden
Tel.: 0351 4020828
hze@vsr-dresden.de
www.vsr-dresden.de

Verein für Straffälligenhilfe Görlitz
e. V.
Hotherstr. 31
02826 Görlitz
Tel.: 03581 311827
straffaelligenhilfe-goerlitz@t-online.de
www.straffaelligenhilfe-goerlitz.de

Gemeindejugendwerk Sachsen
Chemnitzer Str. 15
09366 Stollberg
Tel.: 037296 448875
info@gjw-sachsen.de
www.gjw-sachsen.de

Prison ministry for relatives

There are prison chaplains in the JVs. They also advise the relatives of prisoners.

Evangelische Konferenz für
Gefängnisseelsorge in Deutschland
Geschäftsstelle im Kirchenamt der
EKD
Herrenhäuser Str. 12
30419 Hannover
Tel.: 0511 27960
www.gefaengnisseelsorge.de

Katholische Gefängnisseelsorge in
Deutschland
c/o Jugendbildungsstätte
Clemenswerth 1
49751 Sögel
Tel.: 05952 207201
Fax: 05952 207207
www.gefaengnisseelsorge.net

7. Further help with low income

If you have a low income (for example, if you receive ALG II or social assistance (Sozialhilfe)) you are entitled to further assistance. For example:

- lower co-payments for health services
- exemption from fees and charges
- housing allowance (Wohngeld)
- child supplement (Kinderzuschlag)
- grant for health and care insurance

Lower co-payment for health services

Co-payment, e.g. for prescription fees, prescriptions (e.g. physiotherapy) and medication without a prescription. The co-payment is subject to upper limits. If you have a job are not a recipient of social welfare (Sozialhilfe) then the co-payment cap is 2 percent of your annual gross income and 1 percent for people with chronic illness. However, in the case of families, allowances for each child can be deducted from the annual gross income. This reduces the maximum co-payment amount.

If you receive social welfare or unemployment benefits, then the co-payment limit (Zuzahlungsbergrenze) is 2 percent of the annual standard benefit. Within a family, however, only the annual standard benefit of the person with the highest income in your household is used for the calculation. This means that the two percent applies to the entire household and not per person, thus limiting the co-payment for low-income persons. However, allowances for children are not taken into account here. The same rule applies to chronically ill recipients of social welfare or unemployment benefits, but they only have to pay a maximum of one percent of their annual standard benefit.

7. Further help with low income

Important:

- You have to submit receipts for all additional payments.
- With your health insurance you can get a proof book for additional payments.

Exemption from radio and television fees and discounts on telephone charges

You do not have to pay any fees for radio and television if you:

- receive ALG II
- Get help for living
- Receive basic security at an old age

To do this, you must submit an application to the Beitragsservice of ARD ZDF Deutschlandradio.

ARD ZDF Deutschlandradio Beitragsservice

50656 Köln

www.rundfunkbeitrag.de

The following documents must be submitted with the application:

- Certification of ALG-II-Leistungsbescheid or
- Certified copy of the payment of Sozialhilfe or
- Confirmation on the request for exemption (Befreiungsantrag)

Important: The exemption applies only for the duration of the respective authorisation. You have to renew the application over and over again. If you have not submitted the request for exemption (Befreiungsantrag), you can still submit it later. However, a retroactive exemption is only possible for a maximum of 3 years.

Many telephone companies also give a discount. The Telekom has for example a reduced social tariff. To do this, you must send Telekom AG the

notification of the exemption from the broadcasting fee. Also ask your provider whether there are any discounts.

Housing benefit (Wohngeld)

In these cases, you can apply for Wohngeld:

- You do not receive benefits under SGB II, SGB XII or the Asylbewerberleistungsgesetz.
- You have a low income.
- You are unemployed and only receive a low unemployment benefit.

It is calculated according to:

- Amount of income
- People in your family
- Amount of rent

In these cases, you generally do not receive Wohngeld:

- You already receive benefits according to SGB II, SGB XII or the Asylbewerberleistungsgesetz.

Important:

- For single parents it may make sense to apply for Wohngeld for children, even if you continue to receive benefits according to SGB II/SGB XII (not for AsylbLG).
- Most residence permits depend on the ability of the persons concerned to ensure their subsistence without recourse to social benefits such as Wohngeld. Before applying for Wohngeld, you should thus check whether it may have a negative impact on your residence permit.

7. Further help with low income

Child support (Kinderzuschlag)

The Kinderzuschlag supports low-income parents. It can prevent the receipt of Arbeitslosengeld II. The Kinderzuschlag must be requested in writing from the locally responsible Familienkasse.

The requirements are that

- the parents receive Kindergeld for the child,
- the income of the parents reaches the minimum income limit (Mindesteinkommengrenze) of 900 euros gross for couples and 600 euros gross for single parents.

Not all foreign nationals are entitled to the child support (Kinderzuschlag). The same conditions apply as for the Kindergeld. You can find out if you are entitled to claim under chapter 6.2.

The Starke-Familien-Gesetz ("Strong Families Act") took effect on July 1st, 2019. It supports families with low incomes. The Kinderzuschlag is a maximum of €185 per month per child and, together with the Kindergeld of € 204 per month, covers the average need of children. Here is the application form on the Internet: www.kinderzuschlag.de.

Those who receive Kinderzuschlag or Wohngeld can also receive other benefits for their children:

- Trips from school or day-care (Kindertagesstätte)
- Materials for school
- Travel expenses to school
- Private tutoring
- Midday meals
- Social and cultural events with travel expenses

You can apply for the grant:

- at the community
- at the district
- at the commune

Are you unsure if you qualify for SGB-II benefits or Kinderzuschlag? Then ask at the job centre. By the time you make your decision you will receive benefits from the job centre.

Subsidy for health and long-term care insurance

The costs of adequate statutory or private health and pensions insurance are covered if this avoids the need for assistance. In these cases, you can apply for a grant:

- You are not in the statutory health insurance.
- You cannot pay the contributions for the voluntary health insurance.
- You live in a marriage-like community without family insurance.
- You were family insured through your imprisoned spouse

You must apply for the grant from the job centre. If you only receive the grant, you can also apply for housing benefit.

8. Counselling and legal aid, public defence

1. Counselling assistance (Beratungshilfe)

If you have a low income, you can apply for counselling assistance. The following options are available:

- Advice from a lawyer
- Counselling from a judicial officer at the district court (Amtsgericht)
- Advice from a local advice centre

If a lawyer advises you, you must

- be issued a subscription certificate from the competent district court.
- submit your salary certificate.
- or submit your ALG-II-/Sozialhilfebescheid.
- pay a cost of 15 euros.

The office hours of the Amtsgericht can be found in the telephone exchange.

2. Legal aid (Prozesskostenhilfe)

If it comes to a trial, you can apply for Prozesskostenhilfe in these cases:

- If your income is low.
- When it comes to matters of civil law (e.g. rent, damages).

For complaints according to §§ 109 ff. StVollzG from the penal system
The Prozesskostenhilfe reimburses the following:

- Court costs
- Legal expenses

The Prozesskostenhilfe will only be refunded if the defence has sufficient chance of success. If the Prozesskostenhilfe is rejected, the costs incurred can in certain cases be paid in instalment payments.

You can get more information here:

Broschüre über das Beratungshilfegesetz und das Gesetz über die Prozesskostenhilfe

The brochure can be downloaded from the internet under:

<http://tinyurl.com/BMJVratgeber>

Publisher: Bundesministerium der Justiz

Die Prozesskostenhilfe

Financial support for the exercise of rights in court.

The brochure can be downloaded from the internet at:

www.justiz.nrw.de (Gerichte und Behörden à Zivilgerichtsbarkeit Prozesskostenhilfe) <https://tinyurl.com/Rechte-vor-Gericht>

Publisher: Justizministerium des Landes Nordrhein-Westfalen Referat für Veröffentlichungen

40190 Düsseldorf

3. Public Defence (Pflichtverteidigung)

In legal proceedings, a defence lawyer is required if certain procedural situations exist. Before a defence counsel is appointed, the defendant is given the opportunity to call a defence lawyer of his choice within a certain period of time. The freely chosen defence lawyer is then paid by the state as a public defender.

9. More information

Who bears the costs of the public defender?

This depends on how the procedure ends. The public defender himself always receives his expenses reimbursed by the treasury. If the accused person is sentenced by the court, the court usually has to pay the costs of the entire court proceedings. This also applies to the costs of the public defender. In the case of an acquittal, the State Treasury will pay the costs of the legal proceedings and those of the Public Defender. Public defence is not free.

9. More information

Ratgeber für Inhaftierte in Schleswig-Holstein (7th edition)

Download as PDF on the Internet

under: <https://tinyurl.com/Ratgeber-fuer-Inhaftierte>

www.soziale-strafrechtspflege.de

Publisher:

Schleswig-Holsteinischer Verband für Straffälligen- und Bewährungshilfe e.

V. Ringstraße 76

24103 Kiel

Tel.: 0431 2005668

landesverband@soziale-strafrechtspflege.de

Here you will find

- General information
- Sample letters for correspondence
- Addresses of offices, authorities and relief associations

Sozialatlas Straffälligenhilfe Sachsen-Anhalt

Available as PDF on the Internet at: digital.bibliothek.uni-halle.de/id/2567506

Please contact the following address if you would like to receive a copy.
Ask if the delivery costs anything.

Landesverband für Kriminalprävention und Resozialisierung

Keplerstr. 9/9a

39104 Magdeburg

Tel.: 0391 5414588

LVSBSA@t-online.de

www.lvkr.de

Positiv in Haft – Ein Ratgeber für Menschen in Haft mit HIV/AIDS (8th edition, 2011)

Publisher:

Deutsche AIDS-Hilfe e. V.

Wilhelmstraße 138

10963 Berlin

Tel.: 030 6900870

dah@aidshilfe.de, www.aidshilfe.de

The guide is free and can also be downloaded online:

<https://www.aidshilfe.de/shop/pdf/1101>

Here you will find information about

- medical help
- legal issues
- nutrition

Attached to the guide are sample applications.

Wegweiser für Haftentlassene für Düsseldorf (4th edition, 2013)

Download on the Internet at: www.gefaengnisverein.de/ratgeber Please contact the following address if you would like to receive a copy. Ask if the delivery costs anything.

Publisher:

Kath. Gefängnisverein Düsseldorf e. V.

Kaiserswerther Straße 286

40474 Düsseldorf

Tel.: 0211 444200

gefaengnisverein@gmx.de

Here you will find

- Information on state aid
- Information about municipal and private help offers in Düsseldorf

Betreuung im Strafvollzug – Ein Handbuch (2014)

Publisher:

Deutsche AIDS-Hilfe e. V.

Wilhelmstraße 138

10963 Berlin

Tel.: 030 6900870

dah@aidshilfe.de

www.aidshilfe.de

The guide is free and can also be downloaded online:

<https://tinyurl.com/Betreuung-im-Strafvollzug>

This is a guide for

- People in social professions
- Disseminators
- Relatives and offenders

On the website of Aids help, you will also find more information on imprisonment in different languages.

Information about the prison system on the Internet www.knast.net

Here you will find

- Addresses
- Websites

Opportunities for exchange between relatives in “newsgroups”

www.strafvollzugsarchiv.de

Here you will find documentation about

- Prison system
- Legal situation of detainees
- It also answers inquiries from prisoners and relatives.

The Prison Archive is headed by:

Prof. Dr. Christine Graebisch

Fachhochschule Dortmund

Fachbereich 8

Emil-Figge-Straße 44

44227 Dortmund

9. More information

Addresses of the Refugee Councils (Flüchtlingsräte) in the federal states

The National Refugee Councils can help you find the most important addresses of associations that are involved with refugees in your area. It is best to contact the Refugee Council in your state and ask for an address that is nearby.

Baden-Württemberg

Flüchtlingsrat Baden- Württemberg
e.V.

Hauptstätter Straße 57

70178 Stuttgart

Tel.: 0711 5532834

Fax: 0711 5532835

Info@fluechtlingsrat-bw.de

www.fluechtlingsrat-bw.de

Öffnungszeiten: Montag bis Freitag
10:00 - 18:00

Berlin

Flüchtlingsrat Berlin e. V.

Greifswalder Str. 4

10405 Berlin

Tel.: 030 22476311

Fax.: 030 22476312

buero@fluechtlingsrat-berlin.de

www.fluechtlingsrat-berlin.de

Telefonische Sprechzeiten:

Montag bis Mittwoch: 10:00 - 15:00

Donnerstag: 10:00 - 18:00

Bavaria

Bayerischer Flüchtlingsrat

Augsburger Str. 13

80337 München

Tel.: 089 762234

Fax.: 089 762236

kontakt@fluechtlingsrat- bayern.de

www.fluechtlingsrate-bayern.de

Öffnungszeiten:

Montag 13:00-15:00

Dienstag bis Freitag: 10:00 - 12:00

Brandenburg

Flüchtlingsrat Brandenburg Rudolf-

Breitscheid-Straße 164

14482 Potsdam

Hinweis: (S-Bahnhof Griebnitzsee)

Tel./Fax.: 0331 - 716499

info@fluechtlingsrat- brandenburg.
de

www.fluechtlingsrat-brandenburg.de

Öffnungszeiten: Dienstag und

Donnerstag 11:00 - 13:00

Bremen

Flüchtlingsrat Bremen

St. Jürgen Str. 102

28203 Bremen

Tel.: 0421 41661218

Fax.: 0421 41661219

info@fluechtlingsrat-bremen.de

www.fluechtlingsrat-bremen.de

Öffnungszeiten:

Dienstag 9:00 - 13:00

Donnerstag: 13:00 - 16:00

Hamburg

Flüchtlingsrat Hamburg e. V.

Nernstweg 32-34

22765 Hamburg

Tel.: 040 431587

Fax.: 040 4304490

info@fluechtlingsrat-hamburg.de

www.fluechtlingsrat-hamburg.de

Öffnungszeiten:

Montag: 10.30 - 14:30

Dienstag: 17:00 - 19:00

Donnerstag: 15:00 - 19:00

Hessen

Hessischer Flüchtlingsrat

Leipziger Str. 17

60487 Frankfurt a. M.

Tel.: 069 97698710

Fax.: 069 97698711

hfr@fr-hessen.de

www.fr-hessen.de

Sprechzeiten:

täglich 10:00-18:00

Mecklenburg-Western Pomerania

Flüchtlingsrat Mecklenburg-

Vorpommern e. V.

Postfach 11 02 29

19002 Schwerin

Tel.: 0385 5815790

Fax.: 0385 5815791

kontakt@fluechtlingsrat-mv.de

www.fluechtlingsrat-mv.de

Sprechzeiten: nach telefonischer

Vereinbarung

9. More information

Lower Saxony

Niedersächsischer Flüchtlingsrat e. V.
Röpkestr. 12

30173 Hannover

Tel.: 0511 98246030

Fax.: 0511 98246031

nds@nds-fluerat.org

www.nds-fluerat.org **Sprechzeiten:**

nach telefonischer Vereinbarung

Telefonische Beratung:

Montag bis Freitag: 10:00 - 12:30

Dienstag und Donnerstag: 14:00

- 16:00

North Rhine-Westphalia

Flüchtlingsrat NRW e. V.

Wittener Str. 201

44803 Bochum

Tel.: 0234 58731560

Fax.: 0234 58731575

info@frnrw.de

www.frnrw.de

Öffnungszeiten / Telefonische

Erreichbarkeit:

Montag bis Freitag: 10:00 - 16:00

Rhineland-Palatinate

Arbeitskreis Asyl Rheinland-Pfalz
c/o. Pfarramt für Ausländerarbeit
im Kirchenkreis An Nahe und Glan
Kurhausstr. 8

55543 Bad Kreuznach

Tel.: 0671 8459152

Fax.: 0671 8459154

info@asyl-rlp.org

www.asyl-rlp.org

Öffnungszeiten: Montag bis Freitag

08:00 - 17:00

Saarland

Saarländischer Flüchtlingsrat e. V.

Kaiser Friedrich Ring 46

66740 Saarlouis

Tel.: 06831 4877938

Fax.: 06831 4877939

[fluechtlingsrat@asyl-saar.](mailto:fluechtlingsrat@asyl-saar.de)

[de](mailto:fluechtlingsrat@asyl-saar.de)

www.asyl-saar.de

Öffnungszeiten: Dienstag und

Freitag 10:00 - 12:30

Saxony

Sächsischer Flüchtlingsrat e. V. (SFR e. V.)

Geschäftsstelle Dammweg 5

01097 Dresden

Tel.: 0351 87451710

Fax.: 0351 33294750

Öffnungszeiten:

Montag: nach Vereinbarung

Dienstag: 11:00 - 15:00

Mittwoch: 11:00 - 15:00

Donnerstag: 11:00 - 15:00

Freitag: 11:00 - 13:00

Sächsischer Flüchtlingsrat e. V. Büro Chemnitz

Henriettenstr. 5

09112 Chemnitz

Tel.: 0371 903133

Fax.: 0371 3552105

Öffnungszeiten:

Montag: 10:30 - 16:00

Dienstag: nach Vereinbarung

Mittwoch: nach Vereinbarung

Donnerstag: 10:30 - 16:00

Saxony-Anhalt

Flüchtlingsrat Sachsen-Anhalt e. V. Geschäftsstelle Magdeburg

Schellingstr. 3 - 4

39104 Magdeburg

Tel.: 0391 5371281 und 0391

50549614

Fax.: 0391 50549615

Flüchtlingsrat Sachsen-Anhalt e. V.

Büro Halle (Saale)

Kurallee 15

06114 Halle (Saale)

Tel.: 0345 44502521

Fax.: 0345 44502522

info@fluechtlingsrat-lsa.de

www.fluechtlingsrat-lsa.de

Sprechzeiten: nach telefonischer Vereinbarung

Schleswig-Holstein

Flüchtlingsrat Schlesw.-Holsteine.V.

Sophienblatt 82-86

24114 Kiel

Tel.: 0431 735000

Fax.: 0431 736077

office@frsh.de www.frsh.de

Telefonsprechzeiten:

Montag - Donnerstag: 09:30 - 13:00

Die. und Donnerstag: 15:00-17:30

9. More information

Thuringia

Flüchtlingsrat Thüringen e. V.

Schillerstraße 44

99096 Erfurt

Tel.: 0361 51805125

Fax.: 0361 51884328

info@fluechtlingsrat-thr.de

www.fluechtlingsrat-thr.de

Telefonsprechzeiten:

Montag bis Donnerstag 09:00 - 12:00

Dienstag: auch 13:00-18:00

Donnerstag: auch 13:00-16:00

If you have Internet access, you can search for a Migration Advisory Service yourself: www.tinyurl.com/Migrationsberatung

If you have Internet access, you can also search for the address of the immigration office in your area: www.tinyurl.com/AusBeh

If you have access to the Internet, you can search for a lawyer specialised in immigration and asylum law: www.dav-migrationsrecht.de/arbeitsgemeinschaft

If you are under 27 years old, you can contact a Youth Migration Service (Jugendmigrationsdienst, or JMD). Find a JMD counselling centre: <https://www.jugendmigrationsdienste.de/meinen-jmd-vor-ort-finden/>

Addresses of counselling centres

Europe

Bureau Buitenland, Reclassering
Nederland - Auslandsbüro der
niederländischen Straffälligen-
und Bewährungshilfe
Postbus 136 NL
3500 AC Utrecht, Niederlande
Tel.: 0031 (0)30 2879900
Fax: 0031 (0)30 2879998
www.reclassering.nl

German YMCA London
Craven Terrace 35
W2 3EL London
Tel.: 0044 (0)20 77235684
Fax: 0044 (0)20 77062870
u.bauer@german-ymca.org.uk
www.german-ymca.org.uk

German Welfare Council
Craven Terrace 35
W2 3EL London
Tel.: 0044 (0)20 72622463
Fax:
info@gwc-london.org.uk
www.gwc-london.org.uk

Addresses of offender's assistance (Straffälligenhilfe), specifically for affected women

The following is a list of some contact points that also have offers specifically tailored to women. If you would like advice specifically for women and your city is not listed here, please contact the addresses at the back of the guidebook and enquire there.

Baden- Württemberg:

PräventSozial – Betreutes Wohnen im IW Frauen – Betreutes Wohnen Esslingen
Neckarstr. 86
73728 Esslingen
Tel.: 0711 35130960
E-Mail: rieger@praeventsozial.de

Bayern:

Sozialdienst katholischer Frauen
e.V. Augsburg, InBeLa - Beratung-
sstelle für Frauen in beson-
deren Lebenslagen
Auf dem Kreuz 27

86152 Augsburg

Tel. 0821 / 45 03 61 - 12
E-Mail: inbela@skf-augsburg.de
www.skf-augsburg.de

SkF- Straffälligenhilfe für Frauen
Huttenstraße 29 B

97072 Würzburg

Tel.: (0931) 45007-0
E-Mail: straff@skf-wue.de
www.skf-wue.de

Evangelischer Beratungsdienst
Schellingstraße 65

80799 München

Tel.: 089 28778313
E-Mail: mkutschera-loup@hilswerk-muenchen.de

Sozialdienst katholischer Frauen
Landesverband Bayern e. V.
Bavariaring 48

80336 München

Tel.: 089538860-16
www.skfbayern.de

Bremen:

Zentralstelle für Straffälligenhilfe
Tivoli-Hochhaus, 1. Etage
Bahnhofsplatz 29

28195 Bremen

Tel.: 0421/361-6201
Bera-tung@Straffaelligenhilfe-Bremen.de

Berlin

AWO Kreisverband Berlin-Mitte,
IsA-K Freie Straffälligenhilfe für
Frauen

Prinzenallee 74

13357 Berlin

Tel.: 030/49 91 05 47
E-Mail: info@isa-k.de
www.isa-k.de

Tamar

Nazarethkirchstraße 36

13347 Berlin

Tel.: 030 – 455 4031
E-Mail: tamar@skf-berlin.de
www.skf-berlin.de

Zukunftsbau GmbH

STARTKLAR konkret:

Oudenarder Straße 32

13347 Berlin

Tel: 030 2700407 12 oder 13
E-Mail: dfischer@zukunftsbau.de
E-Mail: bkuhn@zukunftsbau.de

Zukunftsbau GmbH
STARTKLAR konkret Ü27:
Oudenarder Straße 32
13347 Berlin
Tel: 030 2700407 14 oder 15
E-Mail: jfrobels@zukunftsbau.de
E-Mail: bsrienz@zukunftsbau.de

FrauenComputerZentrumBerlin
e.V.
Cuvrystr. 1
10997 Berlin
Telefon +49 30 617970-255
munia@fczb.de
www.munia-berlin.de

Hamburg

Hamburger Fürsorgeverein
Holsteinischer Kamp 12
22081 Hamburg
Tel.: (040) 23 51 77 – 04
Email: frauenprojek-te@
wohnheim-gmbh.de
www.hamburger-fuersorgeverein.de

Hessen

AKTION – Perspektiven für junge
Menschen und Familien e.V.
Schanzenstr. 18
35390 Gießen
Tel: 0641 – 71020
E-Mail: gf@aktion-verein.org
www.aktion-verein.org

Verein Perspektivwechsel e.V.
Bäckerweg 11
60316 Frankfurt
Tel.: 069 436766
E-Mail: in-fo@perspektivwechsel.
org
www.perspektivwechsel.org

Anlaufstelle für straffällig ge-
wordene Frauen
Mainkurstraße 35
60385 Frankfurt am Main
Tel.: 069 448967
www.awo-frankfurt.com

Niedersachsen

Frauennotruf Cloppenburg e.V.
Mühlenstr. 51
49661 Cloppenburg
Tel.: 04471 939830

Nordrhein-Westfalen

Aktion Straffälligen Hilfe e.V.
Karl-Eilers Str. 13
33602 Bielefeld
Tel.: 0521 17 90 33
E-Mail: asth@bitel.net
www.asth-bielefeld.de

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