

99046068052000, 99046068052000

Joint certificate of inheritance confiscation

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/376460498/L100001>

Modul	Sachverhalt
Leistungsschlüssel	99046068052000, 99046068052000
Leistungsbezeichnung I	Joint certificate of inheritance confiscation
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Hessen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Einziehung (052)
SDG-Informationsbereich	Erbsprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.06.2021
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/_2361.html https://www.gesetze-im-internet.de/famfg/_353.html
Teaser	If it subsequently transpires that the heirs shown on the certificate of inheritance are not the real heirs, the certificate of inheritance can be withdrawn.
Volltext	If the probate court learns that the heirs listed in the certificate of inheritance are not the real heirs of the deceased, it must revoke the certificate of inheritance ex officio. The certificate of inheritance thus becomes invalid and the alleged heirs listed in this incorrect certificate of inheritance can no longer jointly dispose of the estate. The confiscation of the certificate of inheritance may also be instigated by the real heir before the court.
Erforderliche Unterlagen	The proceedings are conducted ex officio by the probate court. If you request such proceedings, the following documents are helpful: • Your identity card or passport, • the death certificate of the deceased person (testator), • the family record book to document the relationship, • information on whether there is a lawsuit concerning your inheritance, • names and addresses of co-heirs, • evidence of the reasons why certain persons who would actually inherit are no longer heirs, for example, their death certificates, letters testamentary or declarations of renunciation of inheritance, • if applicable, wills or inheritance contracts, • the matrimonial property regime (in the case of married couples) or the property status (in the case of registered civil partnerships).
Voraussetzungen	There is a joint certificate of inheritance and this shows persons as heirs who are not heirs.

Modul	Sachverhalt
Kosten	The court shall determine the costs of the court proceedings on the revocation of the certificate of inheritance in accordance with section 353 (2) sentence 1 FamFG. The amount of the costs is determined by the amount in dispute, which is calculated on the basis of the value of the estate less the debts.
Verfahrensablauf	The Local Court shall examine ex officio or on application whether the certificate of inheritance is to be withdrawn on the grounds of incorrectness.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case.
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	An appeal may be lodged against the confiscation order. https://www.gesetze-im-internet.de/famfg/_353.html
Kurztext	- The certificate of inheritance is an official certificate issued by the probate court which provides information on the inheritance rights of certain persons. - The joint certificate of inheritance can be issued on the basis of a will or according to the legal succession. - If the heirs shown on the certificate of inheritance are not the real heirs, the certificate of inheritance can be revoked.
Ansprechpunkt	
Zuständige Stelle	The locally competent district court.
Formulare	Forms are not required.
Ursprungsportal	Gemeinschaftlicher Erbschein Einziehung, Joint certificate of inheritance confiscation