

99046018089000, 99046018089000

Apply for custody of the will

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/183723/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99046018089000, 99046018089000
Leistungsbezeichnung I	Apply for custody of the will
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Verwahrung (089)
SDG-Informationsbereich	Erbsprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	19.10.2022
Fachlich freigegeben durch	Federal Ministry of Justice (BMJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/famfg/ https://www.gesetze-im-internet.de/bgb/_2248.html https://www.gesetze-im-internet.de/famfg/_344.html https://www.gesetze-im-internet.de/famfg/ https://www.gesetze-im-internet.de/bgb/_2248.html https://www.gesetze-im-internet.de/famfg/_344.html
Teaser	<p>A disposition of property upon death, for example a will, is placed in special official safekeeping at the local court during the person's lifetime. The custody data is transmitted electronically by the local court or notary's office to the Central Register of Wills and registered there.</p>
Volltext	<p>If you want to ensure that your disposition of property upon death (for example, your will) is found and opened in the event of inheritance, you can place it in special official safekeeping. This also protects your testamentary disposition from forgery or loss.</p> <p>If your testamentary disposition is notarized by a notary public (notarial deed), this person will arrange for the special official safekeeping.</p> <p>In the case of privately written (handwritten) wills, you can personally place them in special official custody at the local court.</p> <p>Notaries and custodial courts register dispositions of death electronically in the Central Register of Wills. The Central Register of Wills contains custody details of wills, inheritance contracts and other documents relevant to succession. In the event of death, the competent probate court and the custodian are automatically informed of the death and the registration. Probate courts can also check the register of wills to see whether a disposition of property upon death is in official custody.</p> <p>Contents of dispositions of death are not shown in the register of wills, but are kept sealed at the district</p>

Modul	Sachverhalt
	<p>court.</p> <p>You do not have to take any special action to register in the register of wills. Depositories are required by law to register. However, this does not apply to privately written wills that are not kept in official custody. These cannot be recorded in the Central Register of Wills.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • the disposition of death to be deposited (for example, will) • Birth certificate • Identity card
Voraussetzungen	<ul style="list-style-type: none"> • Request by the testator to the district court that his disposition of death be placed in special official custody.
Kosten	<p>A fee of EUR 75.00 is charged for depositing a will with the court.</p> <p>The fee charged by the Federal Chamber of Notaries for registration in the Central Register of Wills is 12.50 EUR. If the fee is charged directly by the register authority to the party liable for costs, it amounts to EUR 15.50.</p>
Verfahrensablauf	<p>If you wish to deposit a disposition of property upon death yourself, it is advisable to proceed as follows:</p> <ul style="list-style-type: none"> • Please contact the probate court responsible for you or a notary public and arrange an appointment. • In addition to the testamentary disposition, bring your birth certificate and your identity card with you to the appointment. • Once the deposit has been made, you will receive a certificate of deposit as proof that the deposit has taken place. • Later, you will receive an invoice for court costs. • Details of your testamentary disposition are automatically deposited online in the register of wills by the court or the notary.
Bearbeitungsdauer	Normally, the matter is settled at the first hearing.
Frist	none

Modul	Sachverhalt
weiterführende Informationen	
Hinweise	In certain cases, special official safekeeping is also arranged by a third party if you so wish, for example when a notarized will or inheritance contract is drawn up. The notary will then ensure that the document is placed in special official custody.
Rechtsbehelf	<p>In the event of a refusal of official custody, the Rechtspfleger shall decide by order, § 38 FamFG. The testator applying for custody may lodge an appeal against the refusal for a limited period of time, §§ 58 et seq., 63 FamFG, 11 RPflG.</p> <p>If, according to state law, a clerk of the court was functionally responsible instead of the judicial officer, a reminder must be filed analogously to § 573 of the Code of Civil Procedure.</p>
Kurztext	<ul style="list-style-type: none"> • Custody of a will • A disposition of property upon death (for example, a will or a contract of inheritance) is placed in special official custody at the local court during one's lifetime. • In the case of a notarial deed: Notary arranges for everything that is required. • In the case of a privately written will: the testator must take action himself/herself. • Reasons: Disposition upon death can thus be found quickly in the event of death Deposit protects against forgery and loss. • The testator receives a certificate of deposit for this purpose • Disposition of property upon death is kept at the local court • Notification in the Central Register of Wills by the local court or the notary in order to ensure that, in the event of death, the competent probate court learns of the existence of the disposition of property upon death in a timely manner and that it can be taken into account there • Responsible: Local court or notary public.
Ansprechpunkt	Contact the district court.

Modul	Sachverhalt
Zuständige Stelle	
Formulare	Forms available: No Written form required: No Informal application possible: Yes Personal appearance required: No Online services available: No
Ursprungsportal	Verwahrung des Testaments beantragen, Apply for custody of the will