

99046068001003, 99046068001003

Apply for a joint certificate of inheritance limited in subject matter

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/216478566/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99046068001003, 99046068001003
Leistungsbezeichnung I	Apply for a joint certificate of inheritance limited in subject matter
Leistungsbezeichnung II	Apply for a joint certificate of inheritance limited in subject matter
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Thüringen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gerichtliche Leistungen (046)
Verrichtungskennung	Erteilung (001)

Modul	Sachverhalt
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Urkunden und Bescheinigungen (1070200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.07.2023
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	https://www.gesetze-im-internet.de/famfg/_352b.html https://www.gesetze-im-internet.de/bgb/_2100.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/famfg/_352b.html https://www.gesetze-im-internet.de/bgb/_2100.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/famfg/_352c.html
Teaser	The probate court may also issue a so-called joint certificate of inheritance for several heirs. Each co-heir can apply for a joint certificate of inheritance. The scope of this certificate may be restricted if parts of the estate are located abroad.
Volltext	<p>When a testator dies, he or she usually leaves not just one heir, but several. These heirs become part of the so-called community of heirs at the time of inheritance. The estate is only divided among the individual heirs in accordance with the agreements made after the inheritance has been divided.</p> <p>In principle, each individual co-heir can apply for a certificate of inheritance, with which he or she can prove to third parties that he or she is the rightful heir. If, however, the community of heirs wishes to act jointly and to act vis-à-vis banks, insurers and the land registry, a joint certificate of inheritance is often required.</p> <p>A certificate of inheritance limited to the decedent's assets located in Germany (estate) (limited certificate</p>

Modul
Sachverhalt

of inheritance) can be issued by the probate court upon application if the estate also includes items located abroad. A limited certificate of inheritance should be applied for if this speeds up the procedure for issuing the certificate of inheritance (e.g. because no foreign inheritance law has to be determined), or because the certificate of inheritance is not required abroad and costs can be saved by the restriction.
https://www.gesetze-im-internet.de/famfg/_352c.html
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Erforderliche Unterlagen

- Your identity card or passport,
- the death certificate of the deceased person (testator),
- the family register to document the relationship,
- information on whether there is a lawsuit concerning your right to inherit,
- names and addresses of co-heirs,
- evidence of the reason why certain persons who would actually inherit are no longer heirs, for example, their death certificates, letters of testament or declarations of renunciation of inheritance,
- if applicable, wills or inheritance contracts,
- the marital property status (in the case of married couples) or the asset status (in the case of registered civil partnerships),
- proof that estate items are located abroad.

Voraussetzungen

There is a co-heirship and estate items are located both in Germany and abroad.

Kosten

- Fees for a certificate of inheritance are governed by the German Law on Court and Notary Fees (Gerichts- und Notarkostengesetz, GNotKG) and are based on the value of the estate after deduction of debts.
- In addition to the fee for issuing a certificate of inheritance, costs for affidavits and notary fees may be incurred - plus statutory value-added tax.

Verfahrensablauf

After you have applied for the certificate of inheritance, the local court checks the eligibility and issues the certificate of inheritance.

Bearbeitungsdauer

The processing time depends on the complexity of the inheritance case.

Modul	Sachverhalt
Frist	none
weiterführende Informationen	
Hinweise	
Rechtsbehelf	<p>Complaint</p> <p>If there are conflicting interests in the inheritance certificate proceedings before the probate court, the probate court may not issue the inheritance certificate immediately. The Local Court issues an order in which it states that it considers the facts required to substantiate the application for a certificate of inheritance to have been established.</p> <p>Pursuant to Sections 58, 63 FamFG, the parties then have the opportunity to appeal against this decision within a period of one month.</p> <p>The certificate of inheritance is only issued if, after the expiry of the one-month period, no one has lodged an appeal against the decision of the probate court and the decision has thus become final.</p> <p>In addition, in accordance with Section 59 FamFG, an appeal may be lodged by a person who was unable to convince the probate court with his or her arguments in the inheritance certificate proceedings and whose rights are thereby impaired.</p> <p>Contest</p> <p>By applying for a certificate of inheritance, the inheritance is automatically deemed to have been accepted - it is then no longer possible to contest the inheritance.</p> <p>Heirs can then only avert the inheritance by contesting the certificate of inheritance. To do this, however, a reason for contesting the inheritance must be proven. In principle, only the person who would benefit from a challenge may challenge a certificate of inheritance. It is recommended that legal advice be sought from a</p>

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	<p>lawyer in this regard.</p> <p>Sole Inheritance Certificates: These can only be contested by sole heirs.</p> <p>Partial and joint certificates of inheritance: Every heir within the community of heirs is entitled to challenge them.</p>
Kurztext	<ul style="list-style-type: none"> • If there are co-heirs, they can apply to the probate court for a joint certificate of inheritance. • The certificate of inheritance is an official document issued by the probate court that 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 • Parts of the estate are located abroad
Ansprechpunkt	The locally competent district court
Zuständige Stelle	<p>The district court with local jurisdiction.</p> <p>This is either the district court in whose district the deceased had his/her last habitual residence or the district court in whose district the renegade has his/her habitual residence.</p>
Formulare	Forms are not required.
Ursprungsportal	Einen gegenständlich beschränkten gemeinschaftlichen Erbschein beantragen, Apply for a joint certificate of inheritance limited in subject matter