

99046068001005, 99046068001005

Apply for a community minimum inheritance certificate

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/216478569/L100038>

Modul	Sachverhalt
Leistungsschlüssel	99046068001005, 99046068001005
Leistungsbezeichnung I	Apply for a community minimum inheritance certificate
Leistungsbezeichnung II	Apply for a community minimum inheritance certificate
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)
SDG-Informationsbereich	Erbansprüche und -pflichten in einem anderen Mitgliedstaat, einschließlich Steuervorschriften
Lagen Portalverbund	Erbschaft, Nachlass und Testament (1190200), Urkunden und Bescheinigungen (1070200)

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	20.07.2023
Fachlich freigegeben durch	Thuringian Ministry for Migration, Justice and Consumer Protection
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/famfg/_58.html https://www.gesetze-im-internet.de/famfg/_59.html https://www.gesetze-im-internet.de/famfg/_63.html https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/famfg/_58.html https://www.gesetze-im-internet.de/famfg/_59.html https://www.gesetze-im-internet.de/famfg/_63.html
Teaser	In the event of an inheritance, you can apply for a joint minimum certificate of inheritance as a co-heir.
Volltext	<p>When a testator dies, he or she usually leaves not just one heir, but several. These heirs join the so-called community of heirs at the time of inheritance. Only after the inheritance has been distributed will the estate be divided among you as individual heirs in accordance with the agreements made.</p> <p>In principle, you can apply for a certificate of inheritance as individual co-heirs, with which you can prove to third parties that you are the rightful heir. However, if you wish to act jointly as a community of heirs and act vis-à-vis banks, insurers and the land registry, a joint certificate of inheritance is often required.</p> <p>You can apply for a minimum certificate of inheritance if not all the heirs have been determined yet, for example, because they still have to be identified, but it is clear to what extent an heir has at least a share in the estate. The minimum certificate of inheritance then only shows the inheritance quota that would be attributable to you as the applicant for the certificate of inheritance if there were actually still heirs in the line</p>

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	or tribe that has not yet been clarified.
Erforderliche Unterlagen	<ul style="list-style-type: none"> • 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 reasons why certain persons who would actually inherit are no longer heirs, for example, their death certificates, declarations of heirship or waivers of heirship, • 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).
Voraussetzungen	There are co-heirs and they would like to apply for a joint certificate of inheritance. However, not all the co-heirs are available to apply. The established heirs have a minimum quota, as there are other heirs who have not yet been established.
Kosten	<ul style="list-style-type: none"> • The 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.
Frist	none
weiterführende Informationen	
Hinweise	

Modul

Sachverhalt

Rechtsbehelf

Complaint

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.

The parties then have the opportunity to appeal against this decision within a period of one month.

The certificate of inheritance will only be 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.

In addition, 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.

Contest

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.

You as 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 lawyer in this regard.

Sole Inheritance Certificates: These can only be contested by sole heirs.

Partial and joint certificates of inheritance: Every heir within the community of heirs is entitled to challenge them.

Modul	Sachverhalt
Kurztext	<ul style="list-style-type: none"> • Joint certificate of inheritance Issuance of joint minimum certificate of inheritance • If there are co-heirs, they can apply to the probate court for a joint certificate of inheritance. • If this is not requested for all of them, it is only a joint partial 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. • Determination of the minimum inheritance quota in the case of other heirs who have not yet been determined • The joint minimum partial certificate of inheritance can be issued on the basis of a will or according to the legal succession • Competent: Local Court
Ansprechpunkt	Please contact 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> <p>https://www.justizadressen.nrw.de/de/justiz/suche https://www.justizadressen.nrw.de/de/justiz/suche</p>
Formulare	Forms are not required.
Ursprungsportal	Einen gemeinschaftlichen Mindestteilerbschein beantragen, Apply for a community minimum inheritance certificate