

99046010001003

# Granting a sole certificate of inheritance with limited objectivity

Heruntergeladen am 23.07.2025

<https://fimportal.de/xzufi-services/237896014/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046010001003
Leistungsbezeichnung I	Granting a sole certificate of inheritance with limited objectivity
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (gold)
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),

Modul	Sachverhalt
	Urkunden und Bescheinigungen (1070200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	24.06.2021
Fachlich freigegeben durch	Ministry of Justice of Lower Saxony
Handlungsgrundlage	<a href="https://www.gesetze-im-internet.de/famfg/__352b.html">https://www.gesetze-im-internet.de/famfg/__352b.html</a> <a href="https://www.gesetze-im-internet.de/bgb/__2100.html">https://www.gesetze-im-internet.de/bgb/__2100.html</a> <a href="https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377">https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377</a> <a href="https://www.gesetze-im-internet.de/famfg/__352b.html">https://www.gesetze-im-internet.de/famfg/__352b.html</a> <a href="https://www.gesetze-im-internet.de/bgb/__2100.html">https://www.gesetze-im-internet.de/bgb/__2100.html</a> <a href="https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377">https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377</a>
Teaser	<p>If you have decided to accept your inheritance, in many cases you will need proof of your inheritance rights. If you are the sole heir, this will be established in a certificate of inheritance. The certificate of inheritance may be restricted if parts of the estate are located abroad.</p>
Volltext	<p>A sole certificate of inheritance attests to the inheritance rights of a single person who was appointed by the testator in his will as the sole or universal heir or who succeeds to the deceased's estate as the sole heir within the framework of intestate succession.</p> <p>A certificate of inheritance limited to the deceased's assets located in Germany (estate) can be issued by the probate court upon application if the estate also includes items located abroad (Section 352c FamFG). A restricted certificate of inheritance should be applied for if this will speed up the procedure for issuing the certificate of inheritance (e.g. because no foreign inheritance law needs to be determined) or because the certificate of inheritance is not required abroad and the restriction can save costs.</p> <p><a href="https://www.gesetze-im-internet.de/famfg/__352c.html">https://www.gesetze-im-internet.de/famfg/__352c.html</a>  <a href="https://www.gesetze-im-internet.de/famfg/__352c.html">https://www.gesetze-im-internet.de/famfg/__352c.html</a></p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> <li>• Your identity card or passport,</li> </ul>

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	<ul style="list-style-type: none"> <li>• the death certificate of the deceased person (testator),</li> <li>• the family record book to document the relationship,</li> <li>• Information on whether there is a lawsuit concerning your inheritance rights,</li> <li>• Names and addresses of the co-heirs,</li> <li>• Proof of the reason why certain persons who would actually inherit are no longer heirs, e.g. their death certificates, declarations of inheritance or waivers of inheritance,</li> <li>• wills or inheritance contracts, if applicable,</li> <li>• the matrimonial property regime (in the case of married couples) or the asset status (in the case of registered civil partnerships),</li> <li>• Proof that items of the estate are located abroad.</li> </ul>
Voraussetzungen	There is an inheritance position and estate items are located both in Germany and abroad.
Kosten	<ul style="list-style-type: none"> <li>• The fees for a certificate of inheritance are regulated in the German Court and Notary Fees Act (GNotKG) and are based on the estate value after deduction of debts.</li> <li>• In addition to the fee for issuing a certificate of inheritance, there may be costs for declarations in lieu of an oath and notary fees - plus statutory VAT.</li> </ul>
Verfahrensablauf	After you have applied for the certificate of inheritance, the local court will check your entitlement and issue the certificate of inheritance.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance case.
Frist	none
weiterführende Informationen	<a href="https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=20">https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=20</a> <a href="https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html">https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html</a> <a href="https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=20">https://www.bmj.de/SharedDocs/Publikationen/DE/Broschueren/Erben_Vererben.pdf?__blob=publicationFile&amp;v=20</a> <a href="https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html">https://www.bmj.de/DE/themen/gesellschaft_familie/erbrecht/erbrecht.html</a>

## Modul

## Sachverhalt

### Hinweise

### Rechtsbehelf

### Appeal

If there are conflicting interests in the certificate of inheritance proceedings before the probate court, the probate court may not grant the certificate of inheritance immediately. The local court issues an order in which it states that it considers the facts required to justify the application for a certificate of inheritance to have been established.

Pursuant to Sections 58 and 63 FamFG, the parties involved then have the opportunity to lodge an appeal against this decision within a period of one month.

The certificate of inheritance is only issued if no one has lodged an appeal against the probate court's decision after the one-month period has expired and the decision has thus become legally binding.

In addition, pursuant to Section 59 FamFG, a person who was unable to convince the probate court with their arguments in the certificate of inheritance proceedings and whose rights have been impaired as a result can lodge an appeal.

### Contestation

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.

Heirs can then only avoid the inheritance by contesting the certificate of inheritance. However, a reason for contesting must be proven. In principle, only the person who would benefit from a contestation may contest a certificate of inheritance. It is recommended that you seek legal advice from a lawyer.

Sole heir certificates: These can only be contested by sole heirs.

Partial certificates of inheritance and joint certificates

## Modul

## Sachverhalt

of inheritance: Every heir within the community of heirs is entitled to contest the certificate.

[https://www.gesetze-im-internet.de/famfg/\\_58.html](https://www.gesetze-im-internet.de/famfg/_58.html)

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[https://www.gesetze-im-internet.de/famfg/\\_63.html](https://www.gesetze-im-internet.de/famfg/_63.html)

[https://www.gesetze-im-internet.de/famfg/\\_58.html](https://www.gesetze-im-internet.de/famfg/_58.html)

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[https://www.gesetze-im-internet.de/famfg/\\_63.html](https://www.gesetze-im-internet.de/famfg/_63.html)

## Kurztext

- A sole heir can apply to the probate court for a certificate of inheritance
- A certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of a specific person
- Parts of the estate are located abroad

## Ansprechpunkt

## Zuständige Stelle

## Formulare

Forms are not required.

## Ursprungsportal

Alleinerbschein erteilen eines gegenständlich beschränkten Erbscheins, Granting a sole certificate of inheritance with limited objectivity