

99046068001007, 99046068001007

Joint parts certificate issued on the basis of legal succession

Heruntergeladen am 13.07.2025

<https://fimportal.de/xzufi-services/238640246/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99046068001007, 99046068001007
Leistungsbezeichnung I	Joint parts certificate issued on the basis of legal succession
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	fachlich freigegeben (silber)
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),

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	Urkunden und Bescheinigungen (1070200)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	23.06.2021
Fachlich freigegeben durch	Lower Saxony Ministry of Justice
Handlungsgrundlage	https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377 https://www.gesetze-im-internet.de/bgb/BJNR001950896.html#BJNR001950896BJNG020002377
Teaser	The probate court may also issue a so-called joint certificate of partial inheritance for several heirs. Any co-inheritance may apply for a community share certificate.
Volltext	<p>When a testator dies, he usually leaves not just one heir, but several. These enter the so-called community of heirs with inheritance due to legal succession. Only after the inheritance dispute has taken place is the estate divided among the individual heirs in accordance with the agreements made.</p> <p>In principle, each individual co-heir can apply for a certificate of inheritance with which he can identify himself as a legal heir to third parties. However, if the community of heirs wants to act together and act vis-à-vis banks, insurers and the land registry, a joint certificate of inheritance is often required.</p> <p>The joint share certificate is issued for the inheritance law of several but not all co-heirs on the basis of legal succession at the request of a co.B heir if, for example, a co.B be emigrates and is therefore not reachable.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • your identity card or passport, • the death certificate of the deceased person (testator), • the family record book for the documentation of kinship, • information on whether there is a process for your inheritance law, • the names and addresses of the co-heirs,

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	<ul style="list-style-type: none"> • Proof of the reason why certain persons who would actually inherit are no longer heirs, for example their death certificates, waivers of inheritance or declarations of renunciation of inheritance, • if applicable, wills or contracts of inheritance, • the matrimonial property regime (in the case of spouses) or the property regime (in the case of registered civil partnerships).
Voraussetzungen	There are co-heirs due to legal succession and they would like to apply for a joint certificate of inheritance. However, not all co-heirs are available to apply.
Kosten	Fees for a certificate of inheritance are regulated in the Court and Notary Costs Act (GNotKG) and are based on the value of the estate after deduction of the debts. In addition to the fee for issuing a certificate of inheritance, there may be costs for affidavits and notary fees – plus the statutory value added tax.
Verfahrensablauf	After you have applied for the certificate of inheritance, the district court checks the eligibility and issues the certificate of inheritance.
Bearbeitungsdauer	The processing time depends on the complexity of the inheritance.
Frist	none
weiterführende Informationen	https://www.bmjbv.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33
Hinweise	
Rechtsbehelf	<p>Complaint</p> <p>Insofar as conflicting interests exist in the inheritance certificate proceedings before the probate court, the probate court may not issue the certificate of inheritance immediately. The district court issues an order in which it states that it considers the facts necessary to substantiate the application for a certificate of inheritance to be established.</p> <p>In accordance with §§ 58, 63 FamFG, the parties then have the opportunity to appeal against this decision</p>

Modul

Sachverhalt

within a period of one month.

The certificate of inheritance is only issued if, after the expiry of the period of one month, no one has lodged an appeal against the decision of the probate court and the decision has thus become final.

In addition, according to § 59 FamFG, the person who could not convince the probate court with his arguments in the inheritance certificate proceedings and is thus impaired in his rights can lodge an appeal.

Appeal

By applying for the certificate of inheritance, the inheritance is automatically deemed to have been accepted – an inheritance strike is then no longer possible.

Heirs can then only avert the inheritance by contesting the certificate of inheritance. For this, however, a reason for contestation must be proven. In principle, only the person who would benefit from a challenge may contest a certificate of inheritance. It is recommended to seek legal advice from a lawyer.

Sole inheritance certificates: These can only be challenged by sole heirs.

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

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

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https://www.gesetze-im-internet.de/famfg/_63.html

Kurztext

- If co-heirs exist, they can apply to the probate court for a joint certificate of inheritance
- If this is not applied for for all, it is only a Community share certificate
- The certificate of inheritance is an official certificate issued by the probate court that provides information

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	<p>on the right of succession of certain persons</p> <ul style="list-style-type: none"> • The joint share certificate can be issued on the basis of a will or according to the legal succession
Ansprechpunkt	The locally competent district court
Zuständige Stelle	<p>The locally competent district court.</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 refuser 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	Gemeinschaftlicher Teilerbschein erteilen aufgrund gesetzlicher Erbfolge, Joint parts certificate issued on the basis of legal succession