

99046068001001

Joint inheritance certificate Issuance of legal succession

Heruntergeladen am 12.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012612/S100002>

| Modul | Sachverhalt |
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| Leistungsschlüssel | 99046068001001 |
| Leistungsbezeichnung I | Joint inheritance certificate Issuance of legal succession |
| Leistungsbezeichnung II | Apply for a joint inheritance certificate according to legal succession |
| Typisierung | 2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug |
| Quellredaktion | Hamburg |
| Freigabestatus Katalog | unbestimmter Freigabestatus |
| Freigabestatus Bibliothek | unbestimmter Freigabestatus |
| Begriffe im Kontext | <div lang="en-x-mtfrom-de">apply for a certificate of inheritance</div> , <div lang="en-x-mtfrom-de">identify a successor</div> , <div lang="en-x-mtfrom-de">several heirs</div> , <div lang="en-x-mtfrom-de">Certificate of inheritance for several people</div> , <div lang="en-x-mtfrom-de">Community of heirs Certificate of inheritance</div> |
| Leistungstyp | |
| Leistungsgruppierung | |

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| Verrichtungskennung | |
| SDG-Informationsbereich | |
| Lagen Portalverbund | |
| Einheitlicher Ansprechpartner | Nein |
| Fachlich freigegeben am | 26.09.2023 |
| Fachlich freigegeben durch | |
| Handlungsgrundlage | §§ 2353 – 2370 Civil Code (BGB) §§ 352 to 352 e of the Act on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) |
| Teaser | If the deceased person did not leave a will or inheritance contract, legal succession occurs. As proof of heir status, the probate court can issue a joint certificate of inheritance for several heirs. Any co-heir can apply for this. |
| Volltext | When a testator dies, he usually leaves not just one heir, but several heirs. When they inherit, they enter the so-called community of heirs. In principle, every individual co-heir can apply for a certificate of inheritance with which they can identify themselves as the legal heir to third parties. However, if the community of heirs wants to act together and act towards banks, insurers and the land registry office, a joint certificate of inheritance is often necessary. § 352c Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) |
| Erforderliche Unterlagen | Your official photo ID (ID card or passport) Death certificate of the testator (deceased person) Documents to document your status as legal heir, for example: Family register Marriage certificates of the testator Birth certificates of the testator's children and grandchildren Adoption documents Divorce decrees with legal effect Proof why certain people who would actually be (co-)heirs are not heirs, for example: Death certificates of children and grandchildren or spouses of the testator Declarations of renunciation of inheritance Inheritance waivers Information about whether there |

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is a court case regarding your inheritance law For married couples, proof of matrimonial property regime For registered civil partnerships, proof of assets If the testator himself had no children, the following must be submitted: Birth certificate of the testator If applicable, death certificates of the testator's parents If applicable, birth certificates of the testator's siblings If applicable, death certificates of the testator's siblings If applicable, birth certificates of the testator's nieces and nephews In addition, marriage certificates must be submitted by heirs if their last name has changed as a result of the marriage.

Voraussetzungen

There are co-heirs and they would like to apply for a joint inheritance certificate according to legal succession.

Kosten

The amount of the fees depends on the value of the estate (inherited assets) after deducting the debts of the testator (deceased person). The issue of a certificate of inheritance by the probate court costs, for example: with an estate value of EUR 30,000 EUR 125.00 with an estate value of EUR 100,000 EUR 273.00 with an estate value of EUR 500,000 EUR 935.00 In addition, you must pay fees of the same amount for notarizing an affidavit at the probate court or at a notary. In addition, there may be writing expenses and sales tax. For applicants residing abroad, an advance payment may be necessary. Table of fees: Court and Notary Fees Act (GNotKG) Appendix 2 (to Section 34 Paragraph 3)

Verfahrensablauf

You apply for a joint certificate of inheritance at the responsible probate court (usually the court in whose district the deceased last lived): Submit an application there for the issuance of a joint certificate of inheritance. To do so, use the online service "Make an appointment to submit an application for a certificate of inheritance" . Using the online service, you can submit an application for an appointment to submit an application for a certificate of inheritance to the probate court responsible for you. Alternatively, you can also use the form provided. Attach all required documents. You can also submit the application through an authorised person, such as a notary or a

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lawyer, or have it recorded in court. The district court will contact you to arrange an appointment. Make a personal sworn statement at the appointment before the district court or before a notary. This confirms that you are not aware of anything that would contradict the accuracy of the information you provided in the application for a certificate of inheritance. This is not necessary if the district court waives it. If a notary certifies the declaration under oath, this person can at the same time certify the application for a certificate of inheritance. The local court checks your eligibility and issues the certificate of inheritance.

Bearbeitungsdauer

The processing time depends on the complexity of the inheritance case and the respective local court.

Frist

No

**weiterführende
Informationen**

<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg>
<https://justiz.hamburg.de/gerichte-segmente/>
<https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera>
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<https://justiz.hamburg.de/justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/services/nachlasstermine-636820>
<https://justiz.hamburg.de/resource/blob/637464/b2fc49b461e8f1cc988c45390f5aa2ae/erbscheinsantrag-data.pdf>

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<https://justiz.hamburg.de/resource/blob/573470/acb60160ebe644fcd39ff3b01bf74aea/erbscheinsantrag-data.pdf>

Hinweise

Only one of the co-heirs must submit the application for a certificate of inheritance. To prove your status as an heir in the case of legal succession (if there is no will or inheritance contract), you must submit various documents. This involves documenting all events in your family that are relevant to inheritance law and that relate to the testator. These can include marriage, divorce, births of children, deaths, renunciations of inheritance and the like. If you are not sure which documents you must submit, you can ask the responsible probate court. Please note: The probate court does not provide legal advice. Please contact the persons authorized to provide legal advice. These are lawyers or notaries. The Public Legal Advice Service (ÖRA) offers low-cost legal advice for people with low incomes.

Rechtsbehelf

Complaint If there are conflicting interests in the inheritance certificate procedure before the probate court, the probate court may not issue the certificate of inheritance immediately. The district court issues a decision in which it states that it considers the facts necessary to justify the application for a certificate of inheritance to have been established. In accordance with Sections 58 and 63 FamFG, those involved then have the opportunity to lodge an appeal against this decision within a period of one month. The certificate of inheritance will only be issued if no one has lodged a complaint against the probate court's decision after the one-month period has expired and the decision has therefore become legally binding. In addition, according to Section 59 FamFG, the person who was unable to convince the probate court with their arguments in the inheritance certificate procedure and whose rights are thereby impaired can file a complaint. challenge By applying for the certificate of inheritance, the inheritance is automatically deemed to have been accepted - it is then no longer possible to renounce the inheritance. Heirs can then only avert the inheritance by contesting the acceptance of the inheritance. However, a reason must be proven that justifies the

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challenge (for example certain errors). It is recommended that you seek legal advice from a lawyer. The district court is not allowed to provide legal advice. In the case of partial inheritance certificates and joint inheritance certificates, every heir within the inheritance community is entitled to challenge them. § 58 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 59 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 63 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)

Kurztext

Apply for a joint inheritance certificate according to legal succession If there are co-heirs, they can apply to the probate court for a joint inheritance certificate. The certificate of inheritance is an official certificate issued by the probate court that provides information about the inheritance rights of certain people. The joint inheritance certificate can be issued based on a will or according to legal succession.

Ansprechpunkt

If you want to find out exactly who is responsible for your request, please follow the link to

Hamburg Service

Zuständige Stelle

Hamburg District Court

Formulare
Ursprungsportal

Hamburg Service, Hamburg Service (Currently this link is only available in german)