

N/CH
GERMAN
INHERITANCE
LAW

What to Do After a Death in Germany

A Practical Guide for Heirs Abroad

www.germaninheritancelaw.us



Step 1

Obtain the Death Certificate

The death certificate (Sterbeurkunde) is the most important document at the beginning of the estate process.

You will usually need multiple certified copies.



Typical uses include:

- notifying banks • contacting insurance companies
- communicating with the probate court
- applying for inheritance documents

If the death occurred in Germany, the certificate is issued by the Standesamt (civil registry office).

www.germaninheritancelaw.us

Step 2

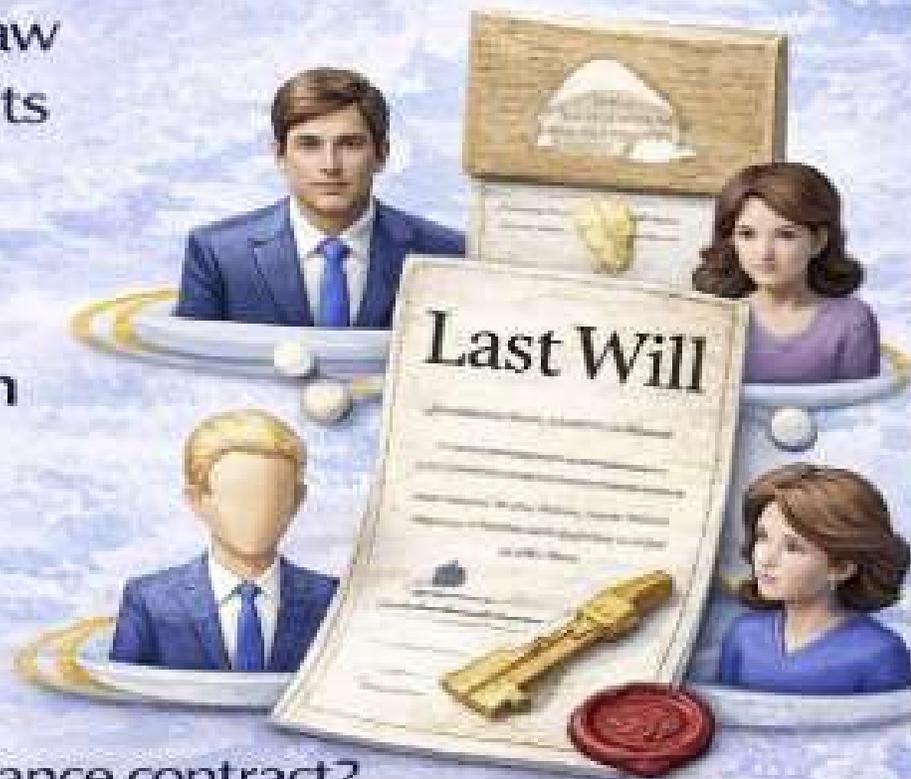
Determine Who the Legal Heirs Are

German inheritance law determines who inherits based on either:

1. A valid will,
2. Statutory succession rules (gesetzliche Erbfolge)

Key questions include:

- Is there a will or inheritance contract?
- Who are multiple heirs forming a community of heirs?
- Are there heirs living abroad?



Incorrect assumptions about heirs are one of the most common reasons for delays in German probate proceedings.



Step 3

Secure and Identify Estate Assets

Before the estate can be distributed, it is essential to identify the assets.

Typical assets include:

- German real estate:
- Bank accounts
- Securities accounts
- Insurance policies
- vehicles or valuables

German banks and land registries generally, do **not release** assets without formal proof of inheritance.



www.germaninheritancelaw.us

Step 4

Determine Whether an Erbschein Is Required

In many German inheritance cases, heirs must obtain a

German Certificate of Inheritance (Erbschein).

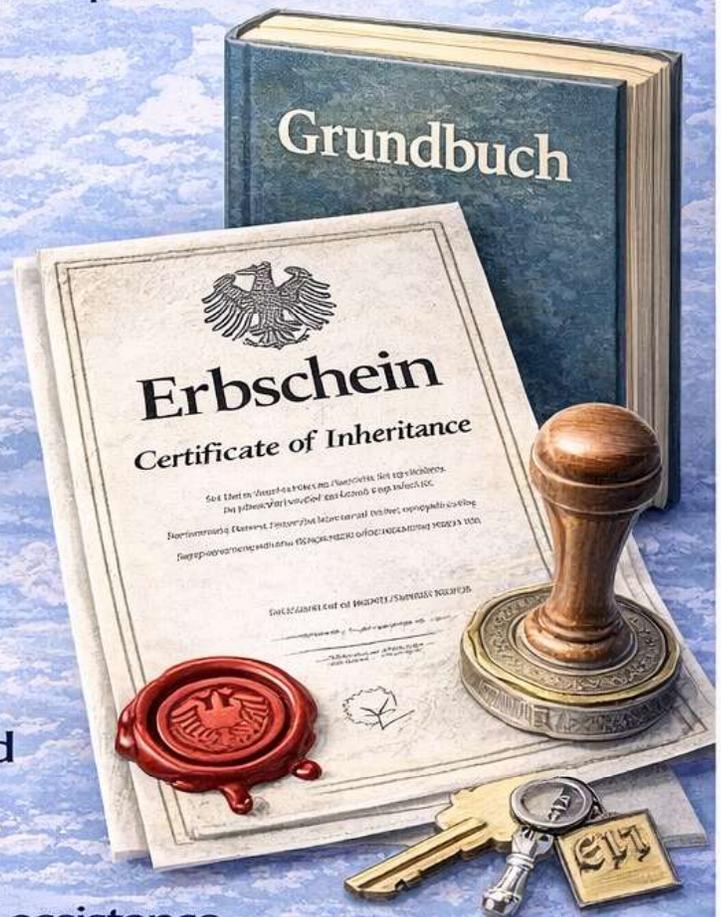
German institutions typically require this document to:

- transfer bank accounts
- update the land register (Grundbuch)
- sell inherited real estate
- prove the legal authority of the heirs

 **Foreign probate documents** (for example a U.S. Grant of Probate) are generally not recognized in Germany.

Many heirs abroad need legal assistance to obtain an Erbschein.

Many heirs abroad need legal assistance to obtain an Erbschein.



www.germaninheritancelaw.us

Step 5

Decide Whether to Accept or Reject the Inheritance

Under German law, heirs may accept or disclaim the inheritance.

This decision is particularly important if the estate may include **debts** or **liabilities**.

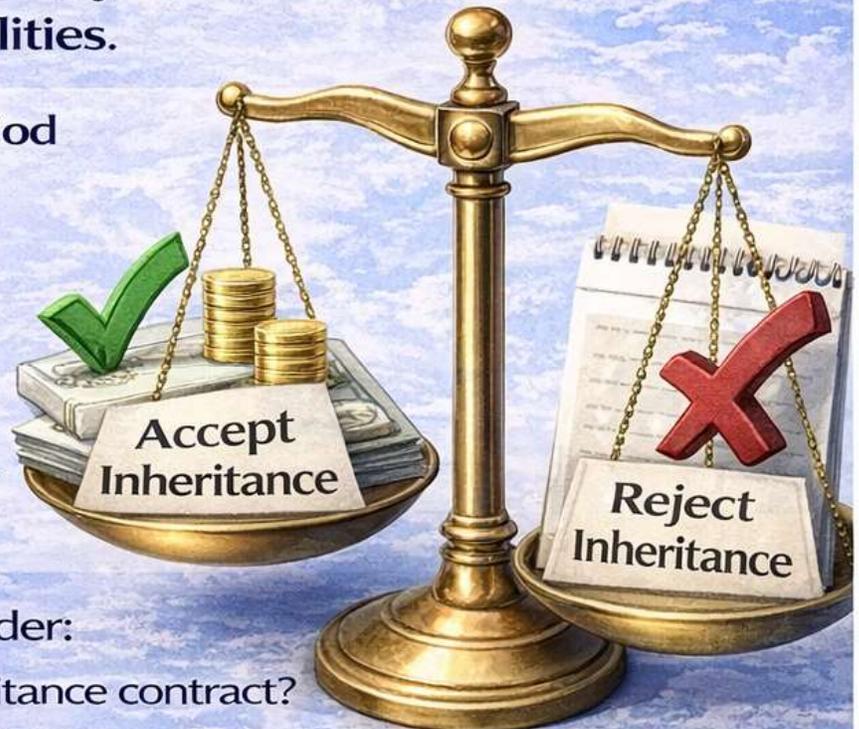
! The disclaimer period is usually **6 weeks** after the heir learns about the inheritance (§ 1944 BGB).

For heirs living abroad, the deadline is typically **6 months**.

Key questions to consider:

- Is there a will or inheritance contract?
- Who are the legal heirs?
- Does the estate include debts or liabilities?

Legal advice is often recommended before disclaiming an inheritance.



www.germaninheritancelaw.us

Do You Need Legal Assistance?



Handling a **German inheritance** from abroad can be challenging.

A German inheritance attorney can help you:

- ✓ determine who the legal heirs are
- ✓ identify the competent German probate court
- ✓ apply for **Erbschein**
- ✓ coordinate with banks and land registries
- ✓ manage cross-border inheritance tax issues

Schedule a **Free 20-Minute Consultation**

Nicola Casper Hoesl

German Attorney at Law



www.germaninheritancelaw.us