

99046018089000

Will safekeeping

Heruntergeladen am 01.07.2025

<https://fimportal.de/xzufi-services/S1000020010000012604/S100002>

Modul	Sachverhalt
Leistungsschlüssel	99046018089000
Leistungsbezeichnung I	Will safekeeping
Leistungsbezeichnung II	Special official storage of an order upon death (e.g. will)
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">Special official custody</div> , <div lang="en-x-mtfrom-de">Custody of the inheritance contract</div> , <div lang="en-x-mtfrom-de">Safekeeping will</div> , <div lang="en-x-mtfrom-de">Custody, disposition upon death</div> , <div lang="en-x-mtfrom-de">Keeping a will at court</div> , <div lang="en-x-mtfrom-de">Depositing a will with the court</div>
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	

Modul	Sachverhalt
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	25.09.2023
Fachlich freigegeben durch	
Handlungsgrundlage	§§346, 347 of the Act on Procedure in Family Matters and in Matters of Voluntary Jurisdiction (FamFG) § 2248 Civil Code (BGB) § 344 Law on Proceedings in Family Matters and in Matters of Voluntary Jurisdiction (FamFG)
Teaser	An order on account of death, for example a will, is placed in special official custody at the local court during your lifetime. The custody data is transmitted electronically to the Central Register of Wills by the local court or notary and registered there.
Volltext	If you want to ensure that your testamentary disposition (for example your will) is found and opened in the event of an inheritance, you can place it in special official custody. This also protects your testamentary disposition from forgery or loss. If your testamentary disposition is certified by a notary (notarial deed), this person will arrange for special official custody. In the case of privately written (handwritten) wills, you can hand them in personally to the local court for special official custody or send them by post to the local court for safekeeping. Notaries and custodian courts register testamentary dispositions electronically in the Central Will Register. The Central Will Register contains custody information on wills, inheritance contracts and other documents relevant to succession. In the event of death, the responsible probate court and the custodian are automatically informed of the death and the entry. Probate courts can also check the will register to see whether a testamentary disposition is in official custody. (Only if the death is known here) The contents of testamentary dispositions are not recorded in the will register, but are kept locked at the local court. You do not need to

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	do anything special to register in the wills register. The depositories are legally obliged to register. However, this does not apply to privately written wills that are not kept in official custody. These cannot be recorded in the Central Wills Register.
Erforderliche Unterlagen	The disposition to be deposited upon death (for example, a will) Birth certificate Identity card
Voraussetzungen	As the author of the will (testator), you can request that your disposition be taken into special official custody upon death (will or inheritance contract).
Kosten	There is a fee of EUR 75.00 for filing a will with the court. This also applies to joint wills. The fee charged by the Federal Chamber of Notaries for registration in the Central Register of Wills is EUR 12.50. If the fee is collected directly from the person liable for the costs by the registration authority, it amounts to EUR 15.50.
Verfahrensablauf	If you want to file a death decree yourself, we recommend proceeding as follows: Please contact your local probate court or a notary and arrange an appointment. In addition to the death decree, bring your birth certificate and ID card with you to the appointment. After the deposit has been made, you will receive a deposit slip as proof of the deposit. You will later receive an invoice for court costs. Information about your last will and testament is automatically stored online in the will register by the court or the notary. For joint wills: The request for custody must be signed by both parties . Documents and ID cards must be presented by both parties . A depository receipt will also be issued for both of them .
Bearbeitungsdauer	Normally the matter will be settled at the first consultation.
Frist	No
weiterführende Informationen	https://justiz.hamburg.de/gerichte/amtsgericht-hamburg https://justiz.hamburg.de/gerichte-segmente/ https://www.hamburg.de/politik-und-verwaltung/behoerden/sozialbehoerde/einrichtungen/oera https://www.hamburg.de/politik-und-verwaltung/beho

Modul

Sachverhalt

erden/sozialbehoerde/einrichtungen/oera
<https://justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948>
<https://justiz.hamburg.de/justiz.hamburg.de/gerichte/amtsgerecht-hamburg/verfahrensarten-und-services/verfahrensarten/nachlassgericht-636948>
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https://www.bmj.de/SharedDocs/Publikationen/DE/Erben_Vererben.pdf?__blob=publicationFile&v=33

Hinweise

In certain cases, special official custody can also be arranged by a third party if you so wish. For example, when drawing up a notarized will or inheritance contract. The notary then ensures that the document is taken into special official custody. 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

If official custody is refused, the judicial officer will make a decision. The author of the will requesting safekeeping (testator) can lodge a temporary appeal against the rejection. If, according to state law, a clerk was functionally responsible instead of the judicial officer, a reminder must be made.

Kurztext

Special official custody of a disposition mortis causa (e.g. will) A disposition made upon death (for example a will or an inheritance contract) is deposited in special official custody at the local court during the deceased's lifetime (either in person or by post). In the case of a notarial deed: the notary will arrange everything necessary. In the case of a privately written will: testators who wish to deposit their privately written will in official custody can do so by submitting it in person or by mail. Reasons: In this way, testamentary dispositions can be quickly found in the event of death. Deposit protects against counterfeiting and loss. The testator receives a deposit certificate for this purpose. The testamentary disposition is kept at the local court.

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	Registration in the Central Register of Wills by the local court or notary public to ensure that in the event of death the competent probate court is informed promptly of the existence of the testamentary disposition and can take it into account there.
Ansprechpunkt	<p>If you want to find out exactly who is responsible for your request, please follow the link to</p> <p>Hamburg Service</p>
Zuständige Stelle	Hamburg District Court
Formulare	
Ursprungsportal	Hamburg Service, Hamburg Service (Currently this link is only available in german)