



## **An arrow diagram is not considered to be a handwritten will - Law of Succession**

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GRP Rainer Lawyers and Tax Advisors in Cologne, Berlin, Bonn, Düsseldorf, Frankfurt, Hamburg, Munich, Stuttgart and London [www.grprainer.com/en](http://www.grprainer.com/en) explain: With its decision from 11 February 2013 (No.: 20 W 542/11), the higher regional court in Frankfurt, Germany made it clear that an arrow diagram does not qualify as a handwritten will and testament. As to the question of the effectiveness of the form a will and testament, a general requirement for effectiveness applies by which it is not only important whether or not the arrow diagram would have, in fact, been constructed by the testator. In the case of an arrow diagram, there are already deficiencies respective to the general requirement in regards to the basic function of ensuring the authenticity of the declaration. This must cover the entire contents of the declaration of the testament. However, verification of authenticity is not possible on the basis of arrow connections.

This also largely applies to the additional protective measures respective to protections to make thorough considerations and against decisions made in haste. Such protective measures would not have been adequately taken into account by a will and testament in the form of an arrow diagram.

The Court had to decide a case in which the distant relatives of the deceased filed claims against the granting of a certificate of inheritance to the wife of the deceased. The claim made reference to a document within the testament that should be evaluated as to whether or not it should be considered part of the will and testament. The probate court then refused to grant the certificate of inheritance.

German inheritance law is well thought out, but it is not made not for those with no experience in law. Nevertheless, many testators complete their last will and testament without professional help. The consequences: an ineffective will and testament followed by disputes among heirs. An ineffective or not properly formulated will and testament can have far-reaching consequences. An attorney prevents that and assists in the composition of an effective last will and testament.

Legal advice from an attorney guarantees a perfect last will and testament. When the estate and its bequest is assigned with such assistance, the testator can rest assured that their last wishes will be respected by heirs. If the last will and testament is missing, the law will determine heirs and also determine the share of the inheritance that should be assigned to each.

<http://www.grprainer.com/en/Last-Will-and-Testament.html>

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Anlage: Bild

