

Succession: how to proceed

When someone dies it is advisable to immediately obtain information on the transfer of the succession, that is, it has to be ascertained whether the succession – in the case in point – will be regulated by the law (since the deceased person has not left a will) or else, wholly or in part, by a will.

Death is a grave and important event, on the basis of which different provisions of the law may take effect, besides the will of the deceased; in order to avoid even important unforeseen consequences, it is undoubtedly advisable to refer straightway to an expert in this field.

On that basis, it is necessary first of all to check whether the deceased has left a will.

If an holographic will is found, this should be taken to a civil law notary who will take the necessary steps to have it made known.

Similarly the civil law notary should be contacted if the family knows of the existence of a public will, that is of the existence of a holographic will entrusted to the civil law notary in fiduciary custody.

If nothing is known regarding the existence or otherwise of a will, the Notarial Archives should be consulted (for the purpose of carrying out a search in the General Register of Wills).

Thereafter it would be well to reconstruct a complete picture of the assets of the deceased person, also with a view to drawing up the declaration of succession for tax purposes.

In this connection too, in order to avoid errors or omissions, the civil law notary will be able to provide appropriate indications for acquiring all the information necessary for an exact identification of the goods included in the succession.

(from <http://www.notariato.it/eng/home.aspx>).