



Lithuania

Registering and searching for wills

→ What are the forms of will in Lithuania?

- * the **authentic will**, drawn up by a civil law notary.
- * the **“personal” will**, drawn up by the testator himself. It can be inserted in an envelope and filed with a civil law notary.

→ Does a register of wills exist in Lithuania?

Yes, there is a register which is administered by the Central Mortgage Office. The registration and search of wills is performed electronically in this register.

I. The registration of a will

→ Why register a will?

It is not mandatory to register all wills (for example, a “personal” will can be kept at home). However, **a will which is not found is deemed to be a non-existent will.**

N.B.

These questions and answers constitute a general source of information, up to date as of March 19, 2010. In the event of a particular difficulty, consult a civil law notary.



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This is why **the recording of the will in the register is mandatory for authentic wills and recommended for the other types of wills**. In this way, the testator can be sure that his last wishes will be found and therefore respected following his death.

→ Who can carry out the registration?

The registration of wills is generally carried out by the civil law notary. In effect, although it is possible to draw up a will oneself, the assistance of a civil law notary is particularly valuable since he is a specialist in the matter. His advice shall thus enable to draw up a will which respects the law and which therefore does not run the risk of being declared null and void.

It is not the content of the will which is registered in the register but the information which enables the will to be found.

→ Who keeps the will?

The civil law notary is in charge of keeping the authentic and “personal” wills confided to him by the testator.

→ Can the testator’s family members consult the register while he is still alive?

No, the existence of a will and its content shall remain a secret during the entire life of the testator.

→ How much does it cost to register a will?

Registration of wills is free of charge.

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II. The search for the wills

→ Who may query the register of wills?

Upon the death of the testator, the family of the deceased may consult the register themselves or through a law professional (civil law notaries, judges, lawyers, etc.). **This query is mandatory**, as it ensures that the last wishes of the testator are respected.

→ Is it necessary to provide a death certificate?

Yes, the testator's family must provide a death certificate in order to be able to carry out a search. This measure enables to ensure that the existence of the will remains secret throughout the testator's life.

→ How much does a search cost?

Searches in the register cost **1€**.

N.B.

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