



ADD
ASSOCIÉS
Étude Généalogique

YOUR QUESTIONS / OUR ANSWERS

**Find out the answers to the most frequently
Asked questions below**

1. Why did a genealogist, and not a notary, contact me?

When notaries only know a few of the heirs, or when the list of the entitled beneficiaries to an estate seems uncertain, notaries commission us to conduct genealogical research, which can sometimes be complicated.

Under Article 36 of the French Law of June 23, 2006, on the reform of inheritance and donations, ADD Associés may be commissioned by: "any person who has a direct and legitimate interest in the identification of heirs or in the settlement of the estate."

The genealogist's involvement ensures that the certificate of heirship is legally valid. Our genealogy firm has special access to marriage records, a proprietary digital genealogical database of over 500 million records, and extensive expertise in heir tracing.

2. Why doesn't the notary conduct the research himself?

Notaries usually don't have the resources to undertake such research, which requires frequent travel, both nationally and internationally. In addition, most of the research requires the expertise of professional researchers with administrative authorizations, including access to civil status registers.

3. What is the actual role of ADD Associés?

Our mission as probate genealogists is to find heirs, identify, locate, and contact them so we can disclose the origin of their inheritance rights, and thereafter represent them during estate settlement.

More specifically, we:

- Justify the rights of the heirs by producing a certified genealogical chart for which we are responsible, and which will serve as a basis for the notary when drawing up his certificate of heirship (the document which officially establishes the list of heirs)
- Represent the heirs via a power of attorney, so that they don't need to travel, relieve them of all administrative formalities involved in settling the estate, and provide them with our legal expertise
- Keep the heirs informed of all key stages in the estate settlement, as well as the initiatives taken as their representative

- Obtain the prior consent of the heirs for any transaction (sale, auction, partition, etc.).

4. I've received a disclosure of inheritance rights contract, what is it?

The disclosure of inheritance rights contract sets the terms of an agreement between the future heir and ADD Associés. More specifically, the disclosure of inheritance rights contract clearly and transparently sets out the terms and conditions of our fees. Once this contract is signed, we will disclose the origin of your rights, and undertake to assert them within the framework of the estate.

5. Why do I need to sign a power of attorney as well?

A power of attorney authorizes ADD et Associés to act on your behalf and to execute notarial deeds. This also means you don't have to travel, as ADD et Associés can represent you at appointments scheduled during the estate settlement process.

6. Do I have to lay out any money?

No, we advance all costs until the estate is settled (these costs are our responsibility should there be outstanding liabilities, or if a will or next of kin heirs are discovered).

7. How are your fees calculated?

Proportional fees are calculated based on a percentage of the heir's share of an estate. These fees are set forth in the disclosure of inheritance rights contract or in an agreement as a means of justifying the heirs' rights signed by the heir. Since 1866, the disclosure of inheritance rights contract submitted by the probate genealogist to heirs has been validated in French case-law. Proportional fees vary depending on the degree of kinship.

Proportional fees apply when:

- The research undertaken has led to the disclosure of rights to an heir or beneficiary of rights
- The investigations conducted have made it possible to substantiate the inheritance rights of an heir or beneficiary.

In the event of a dispute relating to the drafting, validity, interpretation, execution or termination of the contract, the heir may, in the absence of recourse to an alternative dispute resolution method, bring the matter before the court with jurisdiction in respect of the claim this heir raises.

8. When will I know how much the estate is worth?

Once the liquidating notary drafts the certificate of heirship, this notary will then draw up a detailed balance sheet of the deceased's assets (savings, furniture, real estate, etc.) and liabilities (bills, mortgages, loans, tax debts, etc.), so the exact value of the estate can be known.

9. How can I decide if I'm going to sign the disclosure of inheritance rights contract without prior knowledge of the estate's total assets?

You must always bear in mind that if the notary commissions the genealogist, the estate is considered to have assets of value. Whatever the outcome of the estate

settlement, the contract signed with the genealogist fully protects you from any costs or debts, so that you never have to pay any money whatsoever out-of-pocket.

10. Does signing the disclosure of inheritance rights contract require that I accept the estate?

No. When the name of the deceased and the value of the estate are disclosed to you, you can accept or refuse the inheritance.

11. How will I receive the money?

We send the heirs' share of the estate by check or by bank transfer.

12. Do I have to declare the amount I receive?

No, the amount you receive is net of all fees and charges, as all taxes are settled in advance by the notary. For heirs living outside of France, France has many bilateral agreements with countries to prevent double taxation (this will depend on where the heir's tax residence is located).

13. How much is inheritance tax?

The amount of inheritance tax varies depending on the degree of kinship and your share of the estate. For more information, please check out our handbook on inheritance taxes.

14. Why do you need a photocopy of my ID and/or passport?

The notary must ensure that the person granting us power of attorney is indeed the heir referred to in the document. He thereafter verifies the signature. If one of these documents is missing, your signature must be authenticated by an authorized authority (town hall, notary, or consular authority).

15. I know my family, but don't understand the origins of this estate?

Under French law, you can inherit up to the 6th degree of kinship (this could be a grandnephew of your maternal grandfather or grandmother; the same holds true on the paternal side of your family). It's quite common that we don't know the descendants of all the brothers and sisters of all four of our grandparents.

16. Do I have to travel?

No, because thanks to the power of attorney you'd granted us, there's no need. We'll represent you during the estate settlement and keep you fully informed. And we'll request your express prior consent for any important transaction(s) (setting the sale price, distribution accounting, etc.).

17. May I meet with you?

We would be happy to meet you at our offices or at your home in France or abroad.

18. Can you give me the contact information of other members of my family?

Like any professional, we are sworn to protect everyone's personal privacy. However, with the agreement of the parties concerned, we can pass on their contact details to you. We can also pass along any correspondence you wish to send to them.

19. Can I get a copy of the genealogical chart?

Once our documentation is complete, upon your request, we can send you a copy of the genealogical chart. However, the contact details of the heirs will not be disclosed.

20. What documents do I need to provide to you so you can assert my rights?

A photocopy of an official identity document bearing your photograph and signature (ID card, passport, driver's license, etc.). If you have three or more children, a photocopy of your family record book or your children's birth certificates. This document will serve to lower your inheritance tax. This provision no longer applies to estates created after 01/01/2017 but remains in effect for earlier estates. If you are disabled, you may qualify for a tax break: please let us know so that we can work with you to prepare the necessary documents for submission to the tax authorities.

For foreign heirs, your birth and marriage certificates are required.

21. How can I be sure that your company is legitimate?

Founded in Paris in 1990, ADD Associés has become the international gold standard in the highly specialized field of tracing unknown or missing heirs. When you choose ADD Associés, you benefit from recognized expertise and efficiency, combined with firm guarantees that protect you, such as:

- 160 experts who can conduct research and find beneficiaries around the world in extremely tight time frames
- National and international research capabilities
- Tried and tested methodologies
- Firm guarantees to protect you (client funds secured at the Caisse des Dépôts et Consignation, financial guarantee, professional civil liability, annual KPMG audit).

22. May I be present at the estate inventory appointment?

Yes, a letter will be sent to you to inform you of the scheduled estate inventory date. However, you don't need to be present, as we can represent you at the meeting via the power of attorney you've signed. Either way, you will be sent an inventory report including the valuation drawn up by the notary or auctioneer.

23. Who determines the value of the property and what becomes of it?

We require at least two appraisals by real estate professionals. The sale will only take place after each of the heirs has agreed to the principle of the transfer and its amount. A special power of attorney for the sale of the property may be required.

24. What happens to the personal effects of the deceased?

The personal effects (photographs, clothing, correspondence, etc.) of the deceased are not included in the estate assets. They can be shared and provided to heirs who claim them.

25. What happens to bank accounts, cash, and securities?

If necessary, the notary will take the necessary steps to release and/or collect any liquid assets.

26. How can I collect life insurance?

Life insurance is considered an estate asset. The opening of the estate entails the release of capital.

To help us settle any taxes and release the funds on your behalf with the insurance companies, we send you a special authorization form to be signed and returned to us.

27. What is an inheritance tax declaration?

The inheritance tax declaration is a tax document that must be sent to the tax authorities, so that they can collect the inheritance tax you owe.

The inheritance tax declaration must include the following information:

- All information concerning the identity of the deceased. Where applicable, the identity and status of heirs, donees and legatees must be mentioned
- Details of any testamentary dispositions
- All donations made by the deceased prior to his death. Only donations and gifts made within the last 15 years will be taken into account in calculating inheritance tax (for deaths occurring on or after August 17, 2012). Donations legally filed for more than 15 years, and manual gifts disclosed to the tax authorities and declared for more than 15 years must be mentioned but are not taken into account when calculating inheritance tax
- A detailed list and estimate of all movable (bank accounts, securities, cash, etc.) and immovable assets of the estate, whether taxable or exempt, and taking into account their market value on the day of death (assets)
- The list and amount of the deceased's debts on the day of death (liabilities)
- An affidavit of truth.