

## ILLNESS AS A VALID REASON FOR RESTORING THE TERM OF INHERITANCE ACCEPTANCE

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The subject. Compliance with the term for the implementation of the inheritance rights for persons wishing to become successors of a deceased citizen is an important condition for acquiring rights to hereditary property. Nevertheless, frequently, owing to various reasons, citizens from among the heirs cannot comply with the procedure established by law, which, in most cases, engenders the need referring to the court with a inquire about extension of the deadline to recognize the right to inherited property. The court will be able to satisfy the stated requirements if there is a valid reason, which prevented the heir from exercising his right.

The purpose of the article. The authors dare to determine whether a disease, including a new coronavirus infection COVID-19, can be considered as a respectful reason for a recovery period for acceptance of the inheritance. The established objective has determined the need to solve the following tasks: (1) to analyze the legal reasoning of the disputed issue in the doctrine; (2) to study jurisprudence on the subject of the study; (3) to assess how fully the rules of Article 1155 of the Civil Code of the Russian Federation are applicable in relation to the citizens from whom it is potentially impossible to get out of a diseased state; (4) to offer our own perspective on the issue.

Research methods are systematic approach and formal legal analysis of doctrinal sources and the existing Russian legislation and law application practice.

The main results of a study. It is shown that not every painful condition can be regarded as a valid reason for restoring the term of inheritance acceptance under Article 1155 of the Civil Code of the Russian Federation. The existing science means do not allow us to formulate a final conclusion on the issue under study. Therefore, taking into account the evaluative nature of the rule applied, only the law enforcement body is able to make a decision, fully analyzing the relevant circumstances.

Conclusions. When considering cases on the restoration of the term of acceptance of inheritance due to illness, the courts need to take into account a combination of factors: the nature of the disease, its duration, treatment conditions, prognosis of the disease, the degree of social adaptation of the heir. The rules of Article 1155 of the Civil Code of the Russian Federation regarding the establishment of a six-month period for applying to the court need to be revised. Their use is unjustified, and compliance is impossible in the event that a person's exit from a painful state is not expected, while due to the course of the disease, the heir is unable to declare his rights.

**1. Introduction.** One of the features of the right of inheritance as a subjective civil law is its urgent nature. Establishing a period for the exercise of the right is necessary in order to ensure stability and the particular order of civil legal relations, “for the period during which the state of uncertainty remains regarding the subjects, bearers of rights and obligations that previously belonged to the testator cannot be indefinite” [1, p. 110]. At the same time, various reasons may prevent the subject from exercising the right within the established period of time, and the state of actual inaction of the subject who has not accepted the inheritance, caused by a number of circumstances, can be refuted by the heir when they declare a demand for restoration of the deadline for accepting the inheritance and recognition as having accepted the inheritance.

**2. Respectful reasons for missing the deadline.** According to the content of Article 1155 of the Civil Code of the Russian Federation, in order to restore the deadline for accepting an inheritance in court, two conditions are required: 1) the heir did not know and should not have known about the succession commencement or missed the deadline for other respectful reasons; 2) the heir went to court within six months after the reasons for missing the inheritance period ceased to be an obstacle. As noted, the verbal construction “did not know and should not have known” captures the circumstances of a person’s subjective or objective fidelity [2; 3, p. 506], the definition of which is a certain difficulty for the courts. The Supreme Court of the Russian Federation, in one of its rulings, pointed out the need to carefully evaluate all the arguments put forward by the parties, thereby not allowing a formal approach to determining the nature of the reasons that prevented the heir from exercising the right.

The law does not define a list of reasons recognized as valid, which is impossible to do due to their diversity. For example, the courts consider

as respectful: discovery of a will<sup>1</sup>; contesting a will<sup>2</sup>; inaction of the legal representative, which led to missing the deadline for accepting the inheritance<sup>3</sup>; the heir's minor age<sup>4</sup>. Determining the nature of the circumstances preventing the implementation of the right of inheritance requires the court to take into account various factors, which allows us to agree with A.V. Fioshin is that respectful reasons for missing a deadline are essentially an evaluative concept of civil legislation [4]. Classifying a concept as an evaluative one is important, since it is “evaluative concepts, with the help of which the competent authorities, in the process of resolving legal cases, take into account the features of the case under consideration, contribute to the implementation of the principles of justice, the individualization of legal responsibility and thereby the principle of humanism...” [5]. But the use of evaluative concepts is also associated with a certain

<sup>1</sup> See, e.g.: Resolution of the Court of the Khanty-Mansiysk Autonomous Okrug №44G-47/2019 4G-1100/2019 dated 10/04/2019 in case №2-2237/2018; Determination of the Leningrad Regional Court dated May 29, 2014 №33-2245/2014. Legal reference system “ConsultantPlus”.

<sup>2</sup> See, e.g.: Appeal ruling of the Samara Regional Court dated October 21, 2015 in case №33-11618/2015. Legal reference system “ConsultantPlus”.

<sup>3</sup> See, e.g.: paragraph 4 of the Review of judicial practice of the Supreme Court of the Russian Federation for the IV quarter of 2013 (approved by the Presidium of the Supreme Court of the Russian Federation on June 4, 2014) // Bulletin of the Supreme Court of the Russian Federation. 2014. №9; Decision of the Novocherkassk City Court of the Rostov Region dated May 29, 2019 in case №2-1290/2019. Legal reference system “ConsultantPlus”.

<sup>4</sup> See, e.g.: Appeal ruling of the Moscow Regional Court dated November 18, 2015 in case №33-24259/2015. Legal reference system “ConsultantPlus”.

risk, since “identical cases of one or another behavior can be classified differently” [6, p. 274]. And this requires special care from the law enforcement agency when assessing the circumstances that have arisen to determine whether they are valid. And in this regard, important importance should be given to legal science, which “should systematically deal with issues of law enforcement policy” [7, p. 12], taking into account “the processes of implementation of the norms of all branches of current law” [7, p. 7-8].

The content of the evaluative concept of “respectful reasons” in relation to Article 1155 of the Civil Code of the Russian Federation is somewhat specified by the Supreme Court of the Russian Federation, proposing to take into account two points: 1) the connection of the circumstances with the personality of the plaintiff (serious illness, illiteracy, helpless state, etc.); 2) impossibility of accepting the inheritance during the entire established period. The explanations of the highest court, of course, as stated by M. F. Lukyanenko, should be considered as “a method of unified overcoming the relative uncertainty of the content of the norm, based on the generalization and forecast of judicial practice” [8, p. 44], however, even in this case it is not always possible to draw the necessary conclusion with a sufficient degree of certainty, since the circumstances indicated by the law enforcement officer require separate clarification – serious illness, illiteracy, helpless state, etc.

**3. Illness as a respectful reason (historical background).** If at present the issue of the possibility of restoring the period for accepting an inheritance for respectful reasons has been resolved at the legislative level, then this situation was not typical for the previously existing legislation. Also G.F. Shershenevich, analyzing the provisions of the Code of Laws of the Russian Empire, pointed out a significant loophole in the legislation – “the absence of any period before the expiration of which the heir must decide to accept” [9, p. 683]. Therefore, there was no need to consider the issue of the causes and consequences of missing the deadline for accepting the inheritance. According to the Civil Code of the

RSFSR of 1922, despite establishing the duration of the period for accepting the inheritance, the possibility of its restoration was not provided for, with which the civilists fully agreed. So, V. I. Serebrovsky pointed out the need for strict adherence to the deadline established by law, while supporting the idea of the Supreme Court of the USSR on the need to extend the deadline established by law in the presence of special circumstances, which included an extended illness [10, p. 190]. According to the Civil Code of the RSFSR of 1964, the possibility of extending the period for accepting an inheritance in the presence of respectful reasons was already provided for in Article 547. As P.S. Nikityuk wrote, in cases of extending the period for accepting an inheritance, “general criteria for determining the validity of the reasons for missing the limitation period” were applied, among which was the illness of the heir [11, p. 185]. It should be noted that the extension of the period discussed earlier differs from the restoration of the period provided for by the current legislation. If in the first case, when extending the period, the heir needed to complete the issues of registration of rights to the inherited property by contacting a notary, then when the period is restored, the court simultaneously determines the shares of all heirs and recognizes the rights to the disputed property.

#### **4. Illness as a respectful reason (theory).**

Illness as a respectful reason in some cases can prevent the understanding of information about the opening of an inheritance, and in others it can prevent the heir from accepting the inheritance. Here one can hardly agree with the opinion of T. D. Chepiga that the serious illness of the heir refers to the circumstances that prevented “the fulfillment of the heir’s intention to accept the inheritance” [12, p. 181]. For example, the presence of a severe mental disorder will not allow an heir to adequately perceive information about the death of a citizen, and, as a result, will not allow them to express their will to accept the inheritance.

Having studied the scientific literature, one can notice that the reasons for missing the deadline for accepting an inheritance, as a rule, are not analyzed in detail. Before the adoption of Resolution of the Plenum №9, serious illness was often indicated as a respectful reason for missing the

deadline for accepting an inheritance (by analogy with Article 205 of the Civil Code of the Russian Federation) [13]. It is not so often possible to see individual specific statements regarding illness as a respectful reason. So, for example, O. V. Manannikov cites the fact that a person is “quarantined in a hospital” as a respectful reason for missing a deadline [14, p. 231]. O. A. Ruzakov calls the disease a respectful reason for missing a deadline without specifying any additional qualifying features (severe, long-term, etc.) [15]. A. S. Vasiliev, on the contrary, links the painful state of the face with a serious illness as a respectful reason for missing a deadline [16]. S. G. Lidzhieva identifies a number of conditions that can objectively exclude the timely acceptance of an inheritance: incapacity; coma state; other mental and physical disorders [17]. L. V. Laiko draws attention to the period of illness, pointing out that “extended illness” [18] will be important for the court when considering the dispute. E. G. Komissarova takes a similar position, determining that the extended illness of the heir will be a respectful reason for reinstating the term [2]. The duration of the disease is also indicated by Z. Gibadullina and E. Nasrtdinova [19]. Of course, the duration of the illness is important and, according to the content of clause 40 of Resolution of the Plenum №9, it should prevent the acceptance of the inheritance “during the entire established period.” But the duration of the disease itself cannot serve as a sufficient basis for restoring the term, since if the disease is considered as a state of the body, expressed in the disruption of its normal functioning, then most people find themselves in this state for a long period of time or even for life, but at the same time it is sufficient successfully exercise civil rights and fulfill their duties. Therefore, it is also necessary to take into account the severity of the corresponding disease, the characteristics of the treatment of which may interfere with the awareness of the fact of opening an inheritance and the need to accept the inheritance, or make it impossible to accept the inheritance in a timely manner.

#### **5. Illness as a respectful reason (practice).**

In judicial practice, severe illness is associated primarily with mental illness, which is considered as a respectful reason for reinstating the term,

regardless of whether they led to the recognition of a person as incompetent, partially capable or not. In most cases, mental illness is a long-term illness and does not imply recovery of the heir in the foreseeable period of time, which means the question arises of how to apply in such a situation the rules of paragraph 1 of Article 1155 of the Civil Code of the Russian Federation on the need to go to court within six months after that, as the reasons for missing the deadline have run out. In such cases, the courts restore the deadline regardless of how quickly the heir managed to go to court within the six-month period. So, for example, the court took into account the facts of the presence of a mental disorder on the day of opening the inheritance and being in a hospital for the established six-month period, agreeing with the need to restore the period, without paying attention to the timeliness of going to court<sup>5</sup>. The same applies to heirs whose long-term nature of the illness, which does not imply recovery, is confirmed by the assignment of the disability group from childhood<sup>6</sup>. It is worth recognizing that an extended illness with no chance of improvement, accompanied by the inability to perceive social reality, will be considered as a respectful reason and will not entail the need for the interested subject to confirm recovery from the painful state and go to court within a six-month period. The condition of observing this period would lead to the impossibility of exercising the right of inheritance and would limit the rights of individuals. It should be assumed that in terms of content the legal norm itself (Article 1155 of the Civil Code of the Russian Federation) is designed primarily for situations that involve the recovery of a citizen, which, unfortunately, cannot always be achieved.

When appointing a guardian or trustee to a

<sup>5</sup> Appeal ruling of the Supreme Court of the Republic of Bashkortostan dated July 24, 2017 in case №33-15547/2017 or Decision of the Inta City Court (Komi Republic) dated May 25, 2020 in case №2-360/2020. Legal reference system “ConsultantPlus”.

<sup>6</sup> Judicial decision of the First Cassation Court of General Jurisdiction dated 02/03/2021 №88-2337/2021. Legal reference system “ConsultantPlus”.

citizen, it is these persons, in the opinion of O. U. Shilohvost, must properly fulfill their duties “to protect the rights and interests of person under care” [20], which means, one can assume, they should not allow the corresponding deadline to be missed. If the deadline nevertheless turns out to be missed, is it possible in this case to comply with the six-month deadline established by law for going to court? Thus, claims of guardians demanding the restoration of the deadline for accepting an inheritance are filed quite often and compliance with the deadline for going to court in this case is linked to the behavior of the guardian, who, upon learning of the fact of opening an inheritance, manages to apply for resolution of the dispute within a six-month period not from the moment the respectful reasons run out, and from the moment of receiving information about the opening of the inheritance<sup>7</sup>. Certainly, the six-month period established by law for going to court is intended to promote the need for a speedy resolution of the situation with the determination of legal successors. But since we are talking about the right of inheritance, which is of a property nature, but is closely related to the personality of its bearer, the need to comply with the six-month period for going to court if there are no respectful reasons should be linked to the behavior not of the legal representative, but of the heir himself. Otherwise, failure to exercise the right by the legal representative for various reasons (respectful or disrespectful) and missing the six-month period established by law for going to court would result in a violation of the heir’s rights. Inadequate fulfillment by the legal representative of the duty assigned to them by law to act in the interests of the person under care should not adversely affect the rights and interests of the latter. Consequently,

regardless of how timely the legal representative went to court, the issue of restoring the term due to the presence of a serious illness in the heir as a respectful reason must be resolved in favor of such an heir.

In judicial practice, they also attach importance to the painful condition of the legal representative, who was unable to accept the inheritance for the person under care. Thus, in one case, in relation to a minor heir, the court restored the deadline for accepting the inheritance, indicating that the legal representative had illnesses that prevented the timely completion of actions prescribed by law aimed at receiving the inheritance by the plaintiff<sup>8</sup>.

S. A. Slobodyan, discussing the consequences of missing the deadline for accepting an inheritance, agrees with the decisions of the courts, when a respectful reason was recognized “not only the illness of the plaintiff himself, but also of one of his relatives for whom he had to look after” [21]. It is unlikely that there will be grounds for such a solution to the issue, since in everyday life the subject is forced to engage in various activities: work, treatment, caring for someone, etc., which does not interfere with participation in civil legal relations. Illness as a cause must be related to the personality of the heir himself and become an obstacle to obtaining information about the person’s death or taking the necessary actions aimed at accepting the inheritance. Therefore, patient care, as the Supreme Court recognized, cannot be considered as a respectful reason<sup>9</sup>. The reason will also be disrespectful for the court when the subject declares that the missed deadline was due to the serious health condition of a relative who subsequently died,

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<sup>7</sup> See, e.g.: Appeal ruling of the Moscow City Court dated March 30, 2021 in case №33-12717/2021. Legal reference system “ConsultantPlus” or Decision of the Udora District Court (Komi Republic) dated January 19, 2020 in case №2-46/2020) URL: <https://sudact.ru/> (access date: 10/25/2021). Here and further to judicial acts without sources – URL: <https://sudact.ru/>.

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<sup>8</sup> Judicial decision of the Fifth Cassation Court of General Jurisdiction dated March 23, 2021 in case №88-784/2021. Legal reference system “ConsultantPlus”.

<sup>9</sup> Judicial decision of the Judicial Collegium for Civil Cases of the Supreme Court of the Russian Federation dated March 10, 2020 №18-KG19-178. Legal reference system “ConsultantPlus”.

which plunged the heir into emotional distress<sup>10</sup>.

When we talk about the state of health, we can distinguish two stages in the course of any disease: the stage of exacerbation and remission. The disease is in remission, i.e. a stable condition, even if it is confirmed by a disability group, should not be a respectful reason. What age the person was in this case (at retirement age or not) also does not acquire significance. Although judicial practice here is contradictory. There are decisions when the court does not consider a person's retirement age and disability to be a respectful reason<sup>11</sup>. But there are also decisions in the opposite direction, when the court considered age to be a respectful reason (82 y.o., disability)<sup>12</sup>. Which approach is correct? I consider the first one to be correct. The validity of the reasons for missing a deadline is not related to the reaching of a specific age or the assignment of a disability group. These facts must be accompanied by additional circumstances related to the health of the person, indicating that the person was deprived of the opportunity to learn about the opening of the inheritance and (or) take the legally significant actions necessary in connection with this.

The fact of the presence of a disease in an acute stage, of course, prevents or complicates the exercise by a citizen of their rights, but such conditions, as a rule, are transient and can be classified as short-term, which are not a respectful reason for restoring the period for accepting an inheritance. Indeed, in practice one can see court decisions when the court considered being on sick leave, confirming the state of temporary disability

of the subject, to be an unjustifiable reason<sup>13</sup>. If the disease becomes protracted with periodic stay of the person in the hospital, then the court has the right to give this condition the character of a respectful reason<sup>14</sup>.

A painful condition can lead a person to a state of helplessness, which acts as an independent reason for restoring the period for accepting an inheritance. The category "helpless state" is the subject of study primarily by the science of criminal law, since the helpless state is an aggravating circumstance (Article 63 of the Criminal Code of the Russian Federation) and acts "as a mandatory criminal-forming or qualifying feature" [22, p. 4] of a number of crimes against life and health, against freedom, honor and dignity of the individual, sexual freedom and physical integrity. But, despite the use of the term in various articles of the Criminal Code of the Russian Federation, its content differs significantly, which, according to K.A. Barysheva, makes it urgent to develop a unified concept and signs of a helpless state, which will allow "to avoid misinterpretation of the law" and will contribute to the establishment of uniform judicial practice [23, p. 118]. However, from the point of view of Article 1155 of the Civil Code of the Russian Federation, the helplessness of the state is more likely a consequence of the painful state of the person. These states are usually so intertwined that it is impossible to distinguish them from each other. Thus, in one case, the plaintiff was an old-age pensioner, who got into an accident and after the injury could not move independently (only with the help of a walking stick), leave the house and buy food. The court restored the deadline for accepting the inheritance, pointing to the helpless state of the plaintiff, which did not allow her, due to her health, to independently submit to the notary the

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<sup>10</sup> Appeal ruling of the Stavropol Regional Court dated March 4, 2014 in case №33-1172/14. Legal reference system "ConsultantPlus".

<sup>11</sup> Appeal ruling of the Moscow City Court dated May 18, 2021 in case №33-18819/2021, 2-3007/2020. Legal reference system "ConsultantPlus".

<sup>12</sup> Judicial decision of the Shimanovsky District Court (Amur Region) dated March 17, 2021 in case №2-60/2021.

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<sup>13</sup> Appeal ruling of the St. Petersburg City Court dated October 13, 2015 №33-17159/2015. Legal reference system "ConsultantPlus".

<sup>14</sup> Appeal ruling of the Moscow City Court dated December 16, 2019 in case №33-51853/2019. Legal reference system "ConsultantPlus".

documents necessary for accepting the inheritance<sup>15</sup>. The decision seems controversial, because accepting an inheritance is an agreement that does not require strictly personal participation. According to clause 1 of Article 1153 of the Civil Code of the Russian Federation, the heir can issue a power of attorney to accept the inheritance, transferring the issues of acceptance and registration of the inheritance to the representative. Therefore, the court should clarify in such a situation how helpless the state prevented the heir from exercising the right to appoint a representative.

**6. Covid-19 as a respectful reason.** One of the pertinent reasons for reinstating the deadline for accepting an inheritance in relatively recent times was the threat of the spread of a new coronavirus infection. The Covid-19 pandemic, which swept across all continents of the world, differed from other biological epidemics in its scale and global impact on the economies of many different countries [24, p. 110]. Scientists note that the beginning of the pandemic is associated with the development of “remote notary services” [25], but it was during this initial period that timely contacting a notary with an application to accept an inheritance was not always a feasible task. Citizens often missed the deadlines established by law and were forced to apply to the court to have them reinstated. When considering the relevant cases, the courts in most cases satisfied the requirements<sup>16</sup>, taking into account, however, a number of accompanying circumstances: the established obligation of the citizen not to leave the place of residence<sup>17</sup>, the need to comply with anti-Covid restrictions in order to undergo

treatment<sup>18</sup>, compliance with the self-isolation regime<sup>19</sup>, the introduction of a high alert regime in the city and the introduction of restrictions<sup>20</sup>, the introduction of a high-alert regime limiting the movement of citizens<sup>21</sup>, the obligation to comply with the self-isolation regime, the suspension of the provision of government and other services in multifunctional centers and other organizations<sup>22</sup>, sanitary restrictions<sup>23</sup>.

However, even in this difficult period, the issue of respectful reasons for missing a deadline had to be resolved taking into account the entire complex of factual circumstances. If the heir, due to the sanitary and epidemiological situation, falls into the regime of restrictive measures, then this

<sup>15</sup> Decision of the Cheshmensky District Court (Chelyabinsk region) dated June 15, 2021 in case №2-111/2021.

<sup>16</sup> Decision of the Shigonsky District Court (Samara Region) dated 07/05/2021 in case №2-378/2021.

<sup>17</sup> Judicial decision of the Sortavala City Court (Republic of Karelia) dated July 13, 2020 in case №2-645/2020.

<sup>18</sup> Judicial decision of the Leninsky District Court of Novorossiysk (Krasnodar region) dated July 20, 2020 in case №2-609/2020.

<sup>19</sup> See, e.g.: Judicial decision of the Oktyabrsky District Court of Rostov-on-Don (Rostov Region) dated 07/06/2020 in case №2-2004/2020.

<sup>20</sup> See, e.g.: Judicial decision of the Naro-Fominsk City Court (Moscow Region) dated 07/09/2020 in case №2-1810/2020; Judicial decision of the Neklinovsky District Court (Rostov Region) dated November 16, 2020 in case №2-1287/2020.

<sup>21</sup> Judicial decision of the Sortavala City Court (Republic of Karelia) dated July 13, 2020 in case №2-645/2020.

<sup>22</sup> See, e.g.: Judicial decision of the Glazovsky District Court (Udmurt Republic) dated July 27, 2020 in case №2-1279/2020; Judicial decision of the Dzerzhinsky City Court (Nizhny Novgorod Region) dated July 24, 2020 in case №2-2487/2020; Judicial decision of the Millerovsky District Court (Rostov Region) dated July 29, 2020 in case № 2-970/2020; Judicial decision of the Dzerzhinsky City Court (Nizhny Novgorod Region) dated July 24, 2020 in case №2-2487/2020; Judicial decision of the Leninsky District Court of Barnaul (Altai region) dated 07/02/2020 in case №2-1198/2020.

<sup>23</sup> Judicial decision of the Blagoveshchensk City Court (Amur Region) dated October 19, 2020 in case №2-6073/2020.

circumstance in itself does not deprive him of the opportunity to participate in civil legal relations. The presence of a person in quarantine or self-isolation for 14 days also could not be considered an independent reason for reinstating the period, because the person is given a considerable duration, usually six months, within which it is quite possible to meet and have time to express their will. For example, in one case the court indicated that even taking into account the restrictive measures introduced, the plaintiff could file an application to accept the inheritance<sup>24</sup>. In another case, the court, also, taking into account the moment of death of the citizen and the period of time for which restrictions were established in connection with COVID-19, did not consider it possible to restore the period for accepting an inheritance due to the existence of a real opportunity to perform such an action before the introduction of restrictions<sup>25</sup>. Indeed, if the opening of the inheritance occurs on September 12, 2019, then by the time restrictive measures were introduced (end of March 2020), the period for accepting the inheritance had already expired, which means the heir should have had time to contact the notary. Though, the grounds for reinstating the period due to sanitary restrictions were not considered as respectful, as it was in one case<sup>26</sup>.

**7. Conclusion.** Thus, one can say that in most cases the illness of the heir is considered by the courts to be a respectful reason for restoring the period for accepting the inheritance. But a purely mechanical approach based on stating the fact of disability, retirement

age, the presence of a chronic disease, or a difficult epidemiological situation should not prevail. The nature of the disease, its duration, treatment conditions, prognosis for the development of the disease, and the degree of social adaptation of the heir must be taken into account. The rules of Article 1155 of the Civil Code of the Russian Federation regarding the establishment of a six-month period for filing a lawsuit need to be revised. Their use is unjustified, and compliance is impossible in the case when a person's recovery from a painful state is not expected, and due to the course of the illness, the heir is unable to declare acceptance of the inheritance.

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<sup>24</sup> Judicial decision of the Stary Oskol City Court (Belgorod Region) dated September 24, 2020 in case №2-2636/2020.

<sup>25</sup> See, e.g.: Judicial decision of the Ukhta City Court (Komi Republic) dated July 14, 2020 in case №2-2248/2020; Appeal ruling of the St. Petersburg City Court dated February 25, 2021 №33-5836/2021 in case №2-2940/2020. Legal reference system “ConsultantPlus”.

<sup>26</sup> Judicial decision of the Cherdaklinsky District Court (Ulyanovsk Region) dated July 30, 2020 in case №2-2245/2020.



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