

In the Name of Allah, the Most Beneficent, the Most Merciful

## LAST WILL AND TESTAMENT

### PREAMBLE

All praise is for Allah (swt) the creator of the heavens and earth.

I \_\_\_\_\_ praise Allah, I seek His help and His forgiveness. I believe in Him and put my trust entirely in Him. I seek refuge with Allah (swt) from the evils of myself and my deeds. Whom Allah (swt) guides no one can mislead, and whom Allah (swt) misleads no one can guide. I testify that there is no deity except Allah, He is One and has no partners, and I further testify that Muhammed (peace and blessings of Allah be upon him) is Allah's servant and Last Messenger.

I being of sound mind, memory, and emotions declare the following as my will (*wasiyah*). I do hereby revoke any and all former wills and codicils that I have previously made.

### ARTICLE I: MY IMMEDIATE FAMILY

1. I am married to \_\_\_\_\_ and all references in this will to my \_\_\_\_\_ are to \_\_\_\_\_.
  
2. I am the \_\_\_\_\_ of the following child whose name and date of birth are:
  - A. \_\_\_\_\_
  - B. \_\_\_\_\_
  - C. \_\_\_\_\_
  - D. \_\_\_\_\_
  - E. \_\_\_\_\_

### ARTICLE II: FUNERAL AND BURIAL RITES

1. Upon my death, one or more of the following representatives of the New Haven Islamic Center (NHIC) are to be contacted and informed.
  - A. Mr. Mohamed Elnaw at 203-912-5607
  - B. Sheikh Mohamed AbdelAti at 203-747-9170
  - C. Mr. AbdSamad Melouan at 203-809-3322
  - D. NHIC (leave a detailed message if no one answers) at 203-933-5799
  
2. I ordain that:
  - A. My body be prepared for burial in keeping with the Muslim Law (Shariah).
  - B. Under no circumstances my body be voluntarily turned over for an autopsy, or embalming or for organ donation.
  - C. My body be prepared for burial by Muslims according to the dictate of Shariah (Islamic Law). Once the body is prepared for burial there is to be no viewing of my remains.
  - D. Absolutely no non-Islamic religious service or observance shall be conducted upon my death, or on my body or at the grave site. No pictures, crescents and stars, decorations, crosses, flags, flowers, plants, any symbols or music be involved at any stage of my burial.

- E. My body may not be transported over any unreasonable distance from the locality of death unless necessitated by the circumstances or consensus of my Muslim family members and while on accordance of the Muslim Law (Shariah). Further, my body is not to be shipped to any other country because every land belongs to Allah, and I shall be buried where I die and in a Muslim cemetery.
- F. My grave be dug in complete accordance with the Islamic practice. It should face in the direction of the Qiblah (towards the Ka'aba at Makkah, Saudi Arabia).
- G. My body be buried without casket or any other encasement that separates the shroud from the surrounding soil, unless required by local laws. In the event that the local laws require casket encasement, I command that such encasement be of the simplest, most modest, and least expensive type possible, and I furthermore command that the encasement be left open during burial and filled with dirt unless prohibited by law.
- H. My grave be covered with dirt only. The marking, if necessary, should be a simple rock. There should be no inscriptions or symbols.
- I. My burial should take place as soon as possible, preferably before sunset on the day of my death or the following day. Under no circumstances should the burial be excessively delayed.
- J. No one is permitted to cry out, moan or wail. I demand that such a person leave the burial site. Only what comes from the eye is acceptable (tears). Muslims should say a duaa for me and there be a moment of silence when they pray that my grave is made spacious and comfortable. No recitation of the Qur'an is permitted over my grave.

**ARTICLE III: EXECUTOR AND GUARDIAN**

I appoint as Executor, which is the person to execute the will and be my personal representative,

\_\_\_\_\_ my \_\_\_\_\_.  
Full legal name Relationship (husband/wife/child)

As alternative Executor, in the event the named Executor cannot serve or is not willing to serve, I appoint the Imam of the NHIC or the Imam of the local Muslim community.

- 1. I ordain that the Executor of this will be a Muslim.
- 2. I direct that the Executor take all actions legally permissible to have the probate of my estate done as simply and as expeditiously as possible.
- 3. I give my Executor power to sell any property, real, personal or mixed, in which I have interest, without a court order and without bond.
- 4. I give my Executor power to settle any claim for or against my estate.
- 5. I hereby give all my estate: cash, bank accounts, real property, shares in any business, and any other property not mentioned in this will, to the Executor, to serve without bond, to distribute it according to Muslim Law (Shariah).
- 6. I give my Executor the right to legally pursue and persecute anyone that obstructs or changes this will. If my Executor is not able to or is not willing to, and is different than the NHIC, then the NHIC is to carry on this task. The NHIC is to not give up until justice is served and that all collected money from that be split amongst the NHIC and the beneficiaries.

For my minor children, I hereby appoint my spouse as Guardian. If my spouse has deceased since the signing of this document, as the sole parent, I hereby appoint:

\_\_\_\_\_ my \_\_\_\_\_.  
Full legal name Relationship

as Guardian. As alternative Guardian in the event the named Guardian cannot serve or is not willing to serve, I appoint:

\_\_\_\_\_ my \_\_\_\_\_.  
Full legal name Relationship

who should take all measures legally necessary to transfer guardianship to \_\_\_\_\_.

**ARTICLE IV: DEBTS AND EXPENSES**

I direct my Executor:

- 1. To return to the rightful owners all trust and properties that are in my care at the time of my death.
- 2. To first apply the assets of my estate to the payment of all my legal debts, including such expenses incurred by my last illness and burial as well as the expenses of the administration of my estate.
- 3. To pay any outstanding "obligation due to Allah (swt)" (*huquq* Allah) which are binding on me including unpaid zakat, *kaffaraat* of unperformed pilgrimage (Hajj), etc.

**ARTICLE V: SEPARABILITY**

I direct that no part of this will be invalidated by a court unless competent in Muslim Law. If any part of this will is determined invalid by a court, the other parts shall remain valid and enforceable.

I subscribe my name to this will this day \_\_\_\_\_ at \_\_\_\_\_ and do hereby declare that I sign and execute this instrument as my last will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am of the age of majority or otherwise legally empowered to make a will, and under no constraint or undue influence.

|                         |   |      |
|-------------------------|---|------|
| Full legal name PRINTED | Signature<br>(sign in front of witnesses below) | Date |
|-------------------------|---|------|

**WITNESSES**

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Day Month Year Full legal name of will owner

declared to us, the undersigned, that this instrument was his/her will and requested us to act as witnesses to it. He/She thereupon signed this will in our presence, all of us being present at the same time. We now, at his/her request, in his/her presence, and in the presence of each other, subscribe our names as witnesses and declare that we understand this to be his/her last will, and that to the best of our knowledge the testator is of the age of majority, or is otherwise legally empowered to make a will, and under no constraint or undue influence.

We declare under penalty of perjury that the foregoing is true and correct.

Witness 1. \_\_\_\_\_  
Full legal name PRINTED Signature

Witness 2. \_\_\_\_\_  
Full legal name PRINTED Signature

Notary Public \_\_\_\_\_ date \_\_\_\_\_

My Commission Expires \_\_\_\_\_