

IN THE NAME OF ALLAH  
THE MERCIFUL THE COMPASSIONATE

**HOW TO PREPARE YOUR LAST WILL AND TESTAMENT  
ACCORDING TO THE ISLAMIC LAW (SHARI'AH)**

1. Check if the state requires that the name of the state and country should be mentioned at the beginning of the will.
2. Identify testator in a consistent way and use his name as written on the title to properties. Write the middle name clearly and consistently on all documents and through out the WILL. Married women may use maiden or marriage names, but must be consistent in writing the name on all documents.
3. Select witness who are young and who are unlikely to move far away, so that they may be around at time of the execution of the Will. The same applies to Notary Public.
4. If your estate is considerable, consulting a reliable Muslim lawyer and/tax specialist on ways and means to save on estate, both Federal and State, becomes mandatory.
5. Signature at the end of the Will should be done in the presence of the witnesses and Notary Public. The signature of testator, witnesses, and notary Public should be original on all copies. You should initial each page of each copy of the will in the designated place at the bottom of each page.
6. You may find it better to keep two copies with you instead at one, in this case, make four copies and keep two with you but in different places, such as a safe or deposit one in your bank or at your office.
7. If you think a spouse (wife/husband) will challenge the last will and testament in court, to avoid a challenge, you may have to consult with a reliable Muslim Lawyer to write an agreement between you and your spouse to consent to your last will and accept the share assigned to him/her in your will and expressly resign the right to challenge the will by all means for certain considerable compensation. Such a contract may have to be attached to the documents of your last will and testament. Without such agreement your Muslim or non-Muslim spouse may be able to change your last will and testament.
8. Periodical reviewing of the will is always recommended. However, each time you review your will, be sure to implement all the Shari'ah and the legal requirements.
9. Select for executor a young, practicing Muslim, Preferably your son or daughter. You may appoint your spouse or friend.
10. It is forbidden to write a will that excludes or modifies any rightful heir of his/her share given in SHARI'AH
11. It becomes religiously mandatory for Muslims living in America to write their own wills in which the desire to implement the

Islamic SHARI'AH is clearly expressed as far as the Islamic law of inheritance is not recognized by the courts in the United States.

12. According to the great majority of Muslim Scholars (Including the schools of Shafi'i Hanafi, Maliki, Hanballi, and Zaidi), writing a will is highly recommended. It becomes obligatory if there is a danger that any dues to others or to Allah (Subhanahu wa Ta'ala) may not be fulfilled without a will.
13. It is forbidden to give any share to any non-Islamic purpose as churches, gambling places, etc.
14. Non-Muslim relative may not inherit from a Muslim according to authentic traditions (SUNNAH) of the Prophet (peace be upon him) to this effect.
15. The testator might like to assign a certain amount or proportion of his/her estate to some persons who are not heirs such as a non-Muslim spouse, a non-Muslims parents and foster or adopted children (though adoption in the strict sense is prohibited in Islam). This testamentary transfer must also stay within the limit of one-third for the total estate.
16. Testamentary transfers to anyone who receive any share (large or small) are not allowed in SHARI'AH.

THIS DOCUMENT WAS PREPARED BASED ON HOLY QUR,'AAN, SUNNAH, AND LAST WILL AND TESTAMENT PREPARED AND PUBLISHED BY THE ISLAMIC SOCIETY OF NORTH AMERICA (ISNA). FOR MORE INFORMATION OR HELP PLEASE CONTACT BROTHER SOBHI KHALIL AT (201) 251-4901 7-10 PM.

## ARTICLES OF THE WILL EXPLANATION

### PREAMBLE :

Is a general advice of a Muslim to his/her surviving relative and friends. It was the practice of the Messenger of Allah (peace be upon him)

### ARTICLE 1:

Only the automatic rites of funeral and burial are mentioned.

### ARTICLE 2:

This deals with expenses and taxes. The expenses of due (but not done) obligations to Allah (huquq Allah) must be included in the will and they must be paid. However, not paying such dues to Allah during one's lifetime is sinful act. As far as obligations and debts to others are concerned, they must be paid in all cases, even without a will because they are not in reality part of the estate.

### ARTICLE 3:

It deals with two areas ; charitable contributions and testamentary transfers . The total of value of contributions and transfers in this article must not to exceed one-third of net of the estate after the deduction of expenses and taxes.

Testamentary transfers to anyone who receives any share (large or small) is not allowed in Shari'ah.

### ARTICLE 4:

Article IV and the schedule attached to the Will embody the core of Islamic Inheritance system.

### ARTICLE 5:

In appointing the executor. Select a capable trustworthy, ALLAH fearing person. However, for guardianship of your minors you must appoint a Muslim Guardian (male or female) since it is prohibited that Muslim minors be under the custody of non-Muslim in order to preserve and enhance their faith in Islam.

### ARTICLE 6:

The objective of this Article is to help preserve as much as can be preserved of the Islamic Will in case some portion of it is challenged and revoked by a court.

**IN THE NAME OF ALLAH - THE MERCIFUL THE COMPASSIONATE  
LAST WILL AND TESTAMENT  
OF**

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I, \_\_\_\_\_, henceforth referred to in this document as \_\_\_\_\_ residing at \_\_\_\_\_ being of sound mind and memory, do hereby revoke any and all former wills and codicils by me made, and do make, ordain, publish and declare this my last Will and Testament.

**Preamble**

I bear witness that there is no deity but ALLAH, the One the Merciful, Almighty God -- Creator of the heavens and the earth and all therein -- God of Abraham. Moses, Jesus, Mohammad and all the Prophets, mercy and peace be upon them. he is one God and he has no partner. And I bear witness that Prophet Muhammad is His servant and His Messenger and last of all the Prophets, mercy and peace be upon them all.

I bear witness that Allah is the Truth,, that His promise is Truth, that the Meeting with him is Truth. I bear witness that Paradise is Truth. I bear witness that Hell is Truth. And I bear witness that the coming of day of Judgment is Truth, there is no doubt about it , and that Allah, who is exalted above all deficiency and imperfection, will surely resurrect the dead of all the generations of mankind, first and last and those in between.

This is my counsel to my relatives and friends, my Muslim brothers and sisters, and all those who remain after me: that they strive to be true Muslims, that they submit to their Creator -- may He be exalted -- and worship Him as He alone is to be worshipped, fear Him as He alone is to be feared, and love Him and His Prophet Muhammad with a complete love that is rivaled by nothing besides them.

Let them obey Him and hold fast to His Shari'ah Let them spread and firmly establish His religion of Islam, and let them die only in a state of complete submission to His Will.

I remind them that no man no woman dies before his time. The exact duration of each life span is precisely determined before we are born, by the All-Powerful Creator, may He be exalted. Death is tragic only for the one who lived out his/her life in self-deception without submitting to The Creator and preparing for final return to Him. So, do not preoccupy yourselves with my death, but instead make the proper preparations for your own.

Maintain patience and self-composure as the religion of Islam requires. Islam permits female relatives to Mourn for no more than three days, although a widow is allowed to mourn for four lunar months and ten days. Until her iddah (period of waiting) is completed. Wailing and excessive lamentation is forbidden by the Creator, and it only reflects lack of understanding and dissatisfaction with the Will of the Creator, may He be exalted.

Finally, I ask all my relatives, friends and all others-whether they choose to believe as I believed or not -- to honor my Constitutional Rights to these beliefs. I ask them to honor this document, which I have made, and not to try to obstruct it or change it in any way. Rather, let them see that I am buried as I have asked to be buried and let my properties be divided as I wanted them to be divided.

**Article 1 - Funeral and Burial Rites:**

I ordain that no autopsy or embalment be done on my body unless required by law, that without unjustified delay my body be washed, wrapped with cloth free of any ornaments and other articles, prayed for, and then buried, which all should be done by Muslims in complete accordance with Islamic Religion.

- A) I hereby nominate and appoint my wife \_\_\_\_\_  
\_\_\_\_\_ residing at \_\_\_\_\_ city of  
\_\_\_\_\_ state of \_\_\_\_\_ to execute these and other necessary  
provisions for my proper Islamic funeral and burial. In the event  
that my wife \_\_\_\_\_ shall predecease me or  
should simultaneous death occur, I nominate and appoint  
\_\_\_\_\_ residing at  
\_\_\_\_\_ city of \_\_\_\_\_  
state of \_\_\_\_\_ to execute these provisions. And in the event  
that \_\_\_\_\_ shall be unwilling or unable to  
execute, I nominate and appoint the local Muslim community in the  
area where I died to execute these provisions of funeral and  
burial.
- B) In the event of legal difficulties in the execution of this  
Article the above-named persons to seek counsel from the Muslim  
community leader.
- C) I ordain that absolutely no non-Islamic religious service or  
observance shall be conducted upon my death, or on my body.
- D) I ordain that no pictures, crescents and stars, decorations,  
flags, crosses, any symbols - Islamic or otherwise - or music be  
involved at any stage of the process of conducting my burial or  
ever be placed at the site of my grave.
- E) I ordain that my body shall not be embalming over any  
unreasonable distance from the locality of death -- particularly  
-- when such transportation would necessitate embalming, unless  
when long distance transportation is required to reach the  
nearest Muslim cemetery, or desired by Muslim family.
- F) I ordain that my grave be dug deeply and in complete accordance  
with the specifications of Islamic practice, that it face in the  
direction of the Qiblah (the direction of the holy city of Mecca  
in Arabian Peninsula toward which Muslims turn during prayers).
- G) I ordain that my body shall be buried with / without casket or  
any other encasement that separates the wrapped body from the  
surrounding soil. In the event that the local laws or the-weather

required casket encasement. I ordain that such encasement be of the simplest, most modest.. and least expensive type possible. and I furthermore ordain that the encasement be left open during burial and filled with dirt unless prohibited by law.

- H) I ordain that my grave be level with the ground or slightly mounted with no construction of any kind. The marking, if necessary, should be simple, merely to identify the presence of a grave. There should be no inscriptions, or symbols on the said marking.

**Article II - Debts and Expenses:**

- A) I direct that all trust properties shall be returned to the rightful owners. I further direct that my executor hereinafter named first apply the assets of my estate to the payment of all my legal debts -including such expenses incurred by my last illness-if any- and burial as well as the expenses of the administration of my estate. I direct said executor to pay any outstanding "obligations to ALLAH" which are binding on me including unpaid zakah.
- B) I direct that all inheritance, estate and succession taxes (including interest and penalties thereon) payable by reason of my death shall be paid out of and be charged generally against the principal of my residuary estate without reimbursement from any person, except that this provision shall not be construed as a waiver of any right which my executor has, by law or otherwise, to claim reimbursement for any such taxes which become payable on account of property. If any, over which I have a power of appointment.

**Article III - Charitable Contributions and Testamentary transfer:**

I direct my executor to pay the following charitable contributions to the named organizations.

Name of organization	Percentage of Remainder of my Estate after Execution of Article II.	
_____	%	percent
_____	%	percent
Total	%	percent

**Article IV - Distribution of Remainder of My Estate:**

- a) I direct, devise and bequeath all the residue and remainder of my estate after the execution of Articles II and III only to my Muslim heirs whose relationship to me, whether ascending or descending, has occurred through Islamic or lawful marriage at each and every point. The distribution of the residue and remainder of my estate shall be made strictly in accordance with the schedule attached herewith.

- b) Should I die as a result of murder, I direct that the adjudged murderer, principal or accessory in the Murder, shall be disqualified to receive any part or share of my estate.
- C) I further direct, devise and ordain that any portion of my estate disclaimed or refused to be received by any of the legatees named or referred to in this Last Will and Testament shall also be given to \_\_\_\_\_, as a contribution for establishing Islamic centers and mosques in North America.

**Article V - Executor and Guardian:**

I hereby nominate and appoint my wife \_\_\_\_\_ residing at \_\_\_\_\_ city of \_\_\_\_\_ state of \_\_\_\_\_ to be the executor of this, my Last Will and Testament. In the event that my wife \_\_\_\_\_ predeceases me or should simultaneous death occur, or unable to act as executor, I nominate and appoint \_\_\_\_\_ residing at \_\_\_\_\_ city of \_\_\_\_\_ state of \_\_\_\_\_ to be the executor of my Will.

I give my executor herein named power to settle any claim for or against my estate and power to sell any property, real, personal or mixed, in which I have an interest, without court order and without bond. I direct that no bond or surety for any bond be required for my executor in the performance of his/her duties.

I hereby nominate and appoint \_\_\_\_\_ residing at \_\_\_\_\_ city of \_\_\_\_\_ state of \_\_\_\_\_ to be the guardian of the persons and estates of such of my children as shall be minors at and after my death, during their minority, so long as said guardian remains an upright and practicing Muslim of sound mind and judgment. In the event that \_\_\_\_\_ predeceases me or should simultaneous death occur, or unable to act as guardian, I nominate and appoint \_\_\_\_\_ residing at \_\_\_\_\_ city of \_\_\_\_\_ state of \_\_\_\_\_ to be the guardian.

**Article VI - Separability:**

I direct and ordain that if any part of this Last Will and Testament is determined invalid by a court of competent jurisdiction, the other parts shall remain valid and enforceable.

In witness whereof, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ of the year \_\_\_\_\_.

\_\_\_\_\_  
(legal name) (Seal)

\_\_\_\_\_  
(Muslim name)

WE HEREBY CERTIFY that the foregoing instrument was on the date thereof, signed, sealed, published, and declared by the Testator, \_\_\_\_\_ as and for his Last Will and Testament, in our presence, who at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto, believing said Testator at the time of so signing to be of sound mind and-memory.

Signature.

Name and address

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_

This document is made in four copies, all the same and all original. One copy is with me, one is deposited with the Mosque (Islamic Center) of \_\_\_\_\_ in the City of \_\_\_\_\_, State of \_\_\_\_\_, County of \_\_\_\_\_, and two copies with the executors.

**SCHEDULE OF DISTRIBUTION OF THE RESIDUE  
AND REMAINDER OF MY ESTATE**

REFERRED TO IN ARTICLE IV AND DEFINED AS PART OF MY  
LAST WILL AND TESTAMENT

Surviving Heirs And Distribution

**CASE I: One son or more (including any number of daughters)**

- 1.A With no other relatives:  
He or they get all remainder such as sons are equal in their classes, daughters are equal in their classes, and for each daughter half as much as for each son.
- 1.B With wife:  
1/8 to wife, rest as in 1.A.
- 1.C With husband:  
1/4 to husband, rest as in 1.A.
- 1.D With father and mother:  
1/6 to each of father and mother, rest as in 1.A.
- 1.E With one parent:  
1/6 to parent, rest as in 1.A.
- 1.F With any possible combination of 1.B, 1.C, 1.D, and 1.E:  
Each spouse and parent takes the share mentioned above and the rest as in 1.A.
- 1.G With father of father (while father deceased), and mother of father (and no father nor mother):  
1/6 to each of father of father and mother of father and rest as in 1.A.
- 1.H AS 1.G with wife. 1/6 to mother of father; 1/6 to father of father:  
1/6 to wife, and rest as in 1.A.
- 1.I AS I.G with husband:  
1/6 to mother of father; 1/6 to father of father;  
1/4 to husband and rest as in 1.A.
- 1.J With father of father, (no father) and mother:  
1/6 of each mother and father of father, rest as in 1.A.
- 1.K AS 1.J and wife:  
1/6 to each mother and father of father;  
1/8 to wife and rest as in 1.A.
- 1.L As in I.J and husband:  
1/6 to each of mother and father of father;  
1/4 to husband, rest as in 1.A.
- 1.M With father and mother of mother (no mother):  
1/6 to mother of mother; 1/6 to father to father;  
rest as in 1.A.

- 1.N With wife:  
1/6 to each of father and mother of mother;  
1/8 to wife; rest as in I.A.
- 1.O With husband:  
1/6 to each of father and mother of mother;  
1/4 to husband; rest as in 1.A.
- 1.P More than one same-degree grandmother (i.e mother of mother,  
and mother of father) in 1. G, 1. H.:  
Grandmothers share equally 1/6;  
rest as in 1.G, 1.H, 1.I respectively.

**SCHEDULE OF DISTRIBUTION OF THE RESIDUE  
AND REMAINDER OF MY ESTATE**

REFERENCED TO IN ARTICLE IV AND DEFINED AS PART OF MY  
LAST WILL AND TESTAMENT

Surviving Heirs And Distribution.

**CASE 2: One daughter or daughters no sons**

- 2.A With no other relatives:  
If one only she takes all remainder;  
If more than one, they share equally.
- 2.B With wife:  
1/8 to wife; rest as in 2.A.
- 2.C With husband:  
1/4 to husband; rest as in 2.A.
- 2.D With father:  
1/2 to one daughter and 1/2 to father;  
2/3 to daughter equally if more than one;  
and 1/3 to father.
- 2.E With mother:  
1/4 to mother and 3/4 to the one daughter;  
(if more than one) 1/5 to mother and 4/5 equally among  
daughters.
- 2.F With parents:  
1/6 to mother, 1/2 to daughter, and 1/3 to father;  
1/6 to mother, 2/3 to daughters equally, and 1/6 to father.
- 2.G With wife and father:  
1/8 to wife, 1/2 to daughter, and 3/8 to father;  
1/8 to wife, 2/3 to daughters equally, and 5/24 to father.
- 2.H With wife and mother:  
1/8 to wife, 7/32 to mother, and 21/32 to daughter;  
1/8 to wife, 7/40 to mother and 7/10 to daughters equally.
- 2.I With wife and Parents:  
1/8 to wife, 1/6 to mother, 1/2 to daughter, and 5/24 to  
father;  
3/27 to wife, 4/27 to mother, 16/27 to daughters equally,  
and 4/27 to father.
- 2.J With husband and father:  
1/4 to husband, 1/4 to father, and 1/2 to daughter  
3/13 to husband, 2/13 to father, and 8/13 to daughters  
equally.
- 2.K With husband and mother:  
1/4 to husband, 7/36 to mother, 5/9 to daughter, 3/13 to  
husband, 2/13 to mother, 8/13 to daughters equally.

- 2.L With husband and parents:  
3/13 to husband, 2/13 to mother, 2/13 to father and 6/13 to daughter; 3/15 to husband, 2/15 to mother, 2/15 to father, and 8/15 to daughters equally
- 2.M With father of father (no father and no brother or brothers):  
1/2 to father, 1/2 to daughter;  
1/3 to father, 2/3 to daughters equally.
- 2.N With father of father and wife:  
As in 2.G but father of father in place of father.
- 2.O With father of father with husband:  
As in 2.L but father of father in place of father.
- 2.P As in 2.M with mother or without mother but mother of father or mother of mother.  
  
As in 2.F but father in place of father, and grandmother in place of mother.
- 2.Q As 2.P and wife:  
As in but father of father in place of father and grandmother in place of mother.
- 2.R As 2.P and husband:  
As in 2. L but father of father in place of father, and grandmother in place of mother.
- 2.S As in 2.P (and 2.Q, 2.R) but with both mother of mother and mother of father and without mother:  
Grandmothers share equally the share assigned to the mother or to one grandmother in cases 2.P, 2.O and 2.R respectively; the rest as in 2.P, 2.Q, and 2.R respectively.
- 2.T With one son:  
1/2 to daughter, 1/2 to son of son;  
2/3 to daughters equally, 1/3 to son of son.
- 2.U With more than one son of son (including any number of daughters of son(s)):  
As in 2.T and share of son of son is divided among sons of son and daughters of sons according to rules established in 1.A.
- 2.V With wife or husband:  
1/2 to daughter, 1/4 to husband (or 1/8 to wife).  
Rest to children of sons as in 2.U.  
2/3 to daughters, 1/4 to husband (or 1/8 to wife and rest to children of sons as in 2.U.
- 2.W As 2.V with two parents, or with father of father (and no father and no brothers) and mother, or with father of father (no father and no brothers) and father and grandmother(s) of either side (no mother):

1/2 to daughter. 1/8 to wife. 1/6 to father or father of father. 1/6 to mother or grandmother(s) and 1/24 to children of sons as in 2.U.;

6/11 to daughter. 7/11 to husband. 2/13 to father or father of father. 2/13 to mother or grandmother(s) and nothing to son;

16/27 to daughters equally. 3/27 to wife and rest equally to parents, grandfather, and grandmother, or grandfather on one hand and grandmothers on the other nothing to children to children of son;

8/15 to daughters, 3/15 to husband and the rest as in preceding paragraph, and nothing to children of son.

With daughter(s) of son 3/4 to one daughter. 1/4 to daughter(s) of son equally among them; All to daughters, nothing to daughter(s) of son.

2.Y With sister(s) of same two parents (no brothers) or with brother(s) of same two parents, (no sisters):  
1/2 to one daughter, 1/2 to sister/brother, or equally among sisters/brothers;

2/3 to daughters, 1/3 to sister/brother, or equally among sisters/brothers.

2.Z With sister(s) and brother(s) of same two parents:  
1/2 to daughter. 1/2 to sister(s) and brother(s) on the basis of 1 share to female and 2 shares to male;  
2/3 to daughters, 1/3 to sister(s) and brother(s) on same basis.

2.AA AS in 2.Y with wife or husband , or 2.Z with wife or husband:  
1/2 to daughter. 1/8 to wife and 3/5 to sister(s)and/or brother(s) as in 2. Y and 2.Z;  
1/2 to daughter, 1/4 to to husband and 1/4 to sister(s) and /or brother(s) as in 2.Y or 2.Z;  
2/3 to daughters. 1/8 to wife (or 1/4 to husband) and rest to sister(s) and /or brother(s) as in 2.Y or 2.Z.

2.AB With uncle(s) from same parents as father:  
1/2 to daughter and rest to uncle(s) equally;  
2/3 to daughters and rest to uncle(s) equally.

NOTE :

IF THE TESTATOR'S CASE IS UNDER NO>2. BUT NOT COVERED ABOVE THE EXECUTOR SHOULD CONSULT WITH MUSLIM SCHOLARS FOR GUIDANCE IN THE DISTRIBUTION.

### **CASE 3: CHILDREN OF SON(S) AND NO DAUGHTERS**

APPLY CASE NO. 1 AND CASE NO. 2 AFTER SUBSTITUING DAUGHTER OF SON FOR DAUGHTER AND SON OF SON FOR SON.

**SCHEDULE OF DISTRIBUTION OF THE RESIDUE  
AND REMAINDER OF MY ESTATE**

REFERENCED TO IN ARTICLE IV AND DEFINED AS PART OF MY  
LAST WILL AND TESTAMENT

Surviving Heirs And Distribution:

**CASE 4: Parent(s) and no offspring**

- 4.A Father alone or father and his brother(s) and/or sister(s):  
All remainder to father alone, nothing to brothers and sisters
- 4.B Father and wife or husband:  
1/4 to wife or 1/2 to husband, and rest to father.
- 4.C Father and mother (no brothers and no sister):  
1/3 to mother, rest to father
- 4.D As in 4. C with wife or husband:  
1/4 to wife, 1/4 to mother, rest to father;  
1/2 to husband, 1/6 to mother and rest to father.
- 4.E AS in 4.C or 4.D with at least two brothers and or sisters or one brother and one sister of any side:  
1/6 to mother, nothing to brother(s) and sister(s) rest to father;  
1/6 to mother, nothing to brother(s) and sister(s),  
1/4 to wife (1/2 to husband), rest to father
- 4.F Mother only:  
All remainder
- 4.G Mother and husband or wife:  
1/4 to wife or 1/2 to husband
- 4.H Mother with one brother of same two parents or father's side, or one sister of same two parents or father's side:  
1/3 to mother, rest to brother;  
2/5 to mother, 3/5 to sister
- 4.I AS in 4.H with husband or wife:  
1/3 to mother, 1/4 to wife, or 1/2 to husband and rest to brother;  
4/13 to mother,, 3/13 to wife, 6/13 to sister;  
2/8 to mother. 3/8 to husband, 3/8 to sister
- 4.J Mother with at least two brothers. one brother and sister(s) all of same two parents or father's side:  
1/6 to mother, rest to brothers or to brother(s) and sister(s) according to the rule in 1.A
- 4.K AS in 4.J with husband or wife:

- 1/6 to mother, 1/4 to wife (or 1/2 to husband) rest to brother or to brother(s) and sister(s) as in 1.A
- 4.L Mother with sisters or more of same two parents or father side:  
1/5 to mother, 4/5 to sister equally among them.
- 4.M As in 4.J with husband or wife:  
3/8 to husband, 1/8 to mother, 4/8 to sisters equally among them;  
3/13 to wife , 2/13 to mother, 8/13 to sisters equally among them.
- 4.N Mother with one brother of mother's side or one sister of mother's side:  
2/3 to mother, 1/3 to brother or sister
- 4.O As in 4.N with husband or wife:  
1/2 to husband, 1/3 to mother, 1/6 to brother or sister 1/4 to wife, 1/2 to mother, 1/4 to brother or sister
- 4.P Mother with more than one brother or sister of mother's side:  
1/3 to mother, 2/3 to brother(s) and sister(s) equally among them.
- 4.Q As in 4.P with husband or wife:  
1/2 to husband, 1/6 to mother, 1/3 to brother(s) and sister(s) equally among them;  
1/4 to wife, 1/4 to mother, 1/2 to brother(s) and sister(s) equally among them.
- 4.R With mother and father of father (no brother(s) or sister(s):  
1/3 to mother, rest to father of father.
- 4.S AS in 4.R with wife or husband:  
1/3 to mother, 1/4 to wife (or 1/2 to husband and rest to grandfather.
- 4.T With mother and son of brother who is of the same two parents:  
1/3 to mother, rest to son of brother.
- 4.U As in 4.T with husband or wife:  
1/3 to mother, 1/2 to husband (or 1/4 to wife) and rest to son of brother.
- 4.V With mother and brother of father of same two parents:  
1/3 to mother, rest to brother of father.
- 4.W As in 4.V with husband or wife:  
As in 4.M but brother of father instead of son of brother.
- 4.X With father and mother of mother and no mother:  
1/6 to mother of mother and rest to father.

4.Y With mother, brother(s) and father of father:  
1/6 to mother and rest among brother(s) and father of  
equally unless grandfather's share below 1/3. (if it does,  
he gets 1/3 and rest to brothers equally)

NOTE:

IF THE TESTATOR'S CASE IS UNDER NO. 4, BUT NOT COVERED ABOVE. THE  
EXECUTOR SHOULD CONSULT WITH MUSLIM SCHOLARS FOR GUIDANCE IN THE  
DISTRIBUTION.

**DISTRIBUTION OF THE RESIDUE  
REMAINDER OF MY ESTATE**

IN ARTICLE IV AND DEFINED AS PART OF MY  
LAST WILL AND TESTAMENT

Surviving Heirs And Distribution:

**Case 5: Husband or wife, No offspring and no parents and no father of father**

- 5.A Husband:  
1/2 to husband and rest to Islamic organizations to be used for establishing and maintaining the mosque.
- 5.B Wife:  
1/4 to wife and rest as in 5.A.
- 5.C With a brother or more brother(s) and sister(s):  
1/2 to husband (1/4 to wife ) and rest to one brother or equally to brothers . or to brother(s) and sister (s) on the basis of 2 shares to each brother and I share to each sister.
- 5.D With sister(s):  
1/4 to wife (or 1/2 to husband) and rest equally among sisters or to one sister.
- 5.E With a son(s) of brother(s) or son(s) and daughters of brother(s):  
As in 5. C but niece and nephew in place sister and brother.
- 5.F With brother(s) of father:  
1/4 to wife (or 1/2 to husband and rest to uncle(s) equally.

NOTE:

IF THE TESTATOR'S CASE IS UNDER NO. 59 BUT NOT COVERED ABOVE. THE EXECUTOR SHOULD CONSULT WITH MUSLIM SCHOLARS FOR GUIDANCE IN THE DISTRIBUTION.

**CASE 6:** All other cases not mentioned in cases no. 1 through 5 shall be referred to Muslim scholars for rules of distribution . Further , for Interpretation of any of the above cases, I ordain that the Executor shall refer to the Muslim scholars for help.