



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the Name of Allaah, the Entirely Merciful, the Especially Merciful

The Islamic Will & Testament

TESTATOR

Name	
Birth Date	
City of Residence	
County	
State or Province	
Country	

I, _____ being of sound mind and memory, do hereby revoke any and all of my former wills and amendments, and declare this my last Will and Testament.

PREAMBLE

THE SHAHADAH-TESTIMONY OF FAITH

أشهد أن لا إله إلا الله، وأشهد أن محمداً رسول الله

Ashhadu an la ilaha illa Allaah, wa ashhadu anna Muhammadan Rasulallah. I testify that there is no deity worthy of worship except Allaah, and that Muhammad (may the blessings and peace of Allaah be upon him) is Allaah's Messenger. I bear witness that Allaah is the Creator of the Heavens and Earth, and the God of Adam, Nuh (Noah), Ibrahim (Abraham), Musa (Moses), and 'Isa (Jesus). I bear witness that Allaah's promises are true and we will certainly meet with Him, Paradise is true, the Day of Judgment is coming without any doubt, and Allaah (Exalted and Sublime Be He) will surely resurrect those in the graves.

COUNSEL TO MY BELOVED ONES

The following is my counsel to my beloved spouse, children, relatives, friends, Muslim brothers and sisters, and all those who survive me:

1. Strive to be true Muslims. Worship Allaah our Creator, as He Alone is to be worshipped. Direct your absolute fear, hope, love, and submission to Him Alone. I exhort you with what Ibrahim and Ya'qub (Jacob) (May the blessings and peace of Allaah be upon them both) exhorted their children:

يَا بَنِيَّ إِنَّ اللَّهَ اصْطَفَى لَكُمُ الدِّينَ فَلَا تَمُوتُنَّ إِلَّا وَأَنتُمْ مُسْلِمُونَ (البقرة: 132)

« O my sons, indeed Allaah has chosen for you this religion, so do not die except while you are Muslims. »

2. Revere Allaah and be conscious of Him. Be prepared for departure from this life. Take provision of good deeds. Keep the company of the scholars and righteous Muslims. Let your appearance and behavior reflect *Islam* in the best way. Strive to spread and establish the religion of *Islam*.
3. Obey Allaah and His Messenger (may the blessings and peace of Allaah be upon him). Hold fast to the Messenger's *Sunnah* (teachings), and the guidance of the *Salaf* (righteous early Muslims). I exhort you with the Messenger Muhammad's (may the blessings and peace of Allaah be upon him) last exhortation to his followers: **<The prayer ... the prayer ...>** So, maintain the prayers at their prescribed times.
4. Always supplicate for me and ask Allaah to forgive me and have mercy on me.
5. Avoid all acts of disobedience. Beware of innovations or altering any of the teachings of *Islam*. I disown before Allaah any act of disobedience or innovation that anyone might commit after me.

WHAT TO DO WHEN DEATH COMES

1. When death approaches me, have Muslims of knowledge and piety from Ahlus-Sunnah Wal-Jama'ah ⁽¹⁾ attend me, and let them remind me of maintaining good thoughts about my Lord, hoping for His mercy and forgiveness, and constantly uttering the *Shahadah*.
2. Remove from my presence anything that dispels the angels of mercy, such as pictures or statues of humans and animals, dogs, bells, improperly attired women, music, smoking, etc.
3. After my soul departs, I ordain the following to my family or those who are present:
 - a. Close my eyes.
 - b. Make good supplications for me (without raising their voices), invoking mercy and forgiveness for me.
 - c. Take measures to quickly prepare me for the burial.
 - d. Avoid obituary.
 - e. Stop prompting me to say the *Shahadah* after my soul had departed from my body.
 - f. Hasten to pay off my debts.
4. No person dies before his appointed time. So, I ordain to my family the following:
 - a. Do not preoccupy yourselves with my death, but instead make the proper preparations for your own.
 - b. Maintain patience, self-composure, and submission to Allaah's decree.
 - c. Do not raise your voices, wail, strike your cheeks, or call out with the calls of ignorance that reflect dissatisfaction with Allaah's decree.
 - d. Women may not mourn over me for more than three days, except for a widow who is allowed to mourn over her husband for four months and ten days — until her *'iddah* (i.e. waiting and mourning period) is completed.

⁽¹⁾ Those who follow the Book of Allaah, the Sunnah of His Messenger, (Refer to page 15 item 1 for full explanation)

FUNERAL

I ordain that all of my funeral and burial procedures be performed by Muslims in full compliance with the *Islamic* religion, the *Sunnah* of the Messenger (may the blessings and peace of Allaah be upon him) and the way of Ahlus-Sunnah Wal-Jama'ah. Absolutely no *non-Islamic* religious services or observances may be conducted upon my death, or on my body.

In particular:

- A. Autopsy or embalment may not be performed on my body — unless required by the law.
- B. My burial may not be delayed for reasons Islamically unjustifiable, such as awaiting a specific day, or the arrival of a particular person.
- C. My body should be washed three or five times (or more if needed) with soap and water, adding camphor or perfume on the last time.
- D. My body should be wrapped with three plain white perfumed sheets of cloth that are free of ornaments and other articles for the men and five for the women.
- E. I should be buried where I die; my body may not be transported over any unreasonable distance except as needed to reach the nearest Islamic Cemetery of Ahlus-Sunnah Wal-Jama'ah.
- F. My funeral procession should be expedited.
- G. Women and incense burners may not accompany my funeral procession.
- H. During my funeral, voices may not be raised with reciting Qur'an, uttering the Shahadah, or any supplications. Silence should be maintained, and those present should contemplate over the event and supplicate for me in their hearts.
- I. The funeral prayer upon me should be conducted by the Imam of Ahlus-Sunnah Wal-Jama'ah outside the graveyard in an open place if possible, otherwise, in the nearest Islamic center of Ahlus-Sunnah Wal-Jama'ah.
- J. The largest possible number of Muslims should be invited to pray upon me, they should be arranged in a minimum of three rows, and they should be instructed to supplicate for me sincerely and extensively.

BURIAL AND THE GRAVE

I ordain that:

- A. My grave should be dug in accordance with the specifications of the *Sunnah* and the way of Ahlus-Sunnah Wal-Jama'ah.
- B. If possible, my grave should be made as a *lahd* (i.e. Near the bottom of the grave, in its wall facing *Qiblah* (the direction of Makkah in Arabia), a horizontal niche is made large enough for the body to be placed in it), unless the Law requires otherwise.
- C. My body should be buried without a casket or any other encasement that separates the wrapped body from the surrounding soil. In the event that the local laws require casket encasement, I ordain that such encasement be of the simplest, most modest, and least expensive type.
- D. My body should be laid in the *lahd* or in the casket on the right side, with the face to the *Qiblah*, and my back supported with bricks or dirt.
- E. The men who lay down my body should say: *Bismillahi, wa'ala millati Rasulillah* (with Allaah's Name, and upon the religion of Allaah's Messenger (may the blessings and peace of Allaah be upon him)).
- F. No pillow may be placed under my head, no perfumes or decorations may be sprinkled in my grave, and no worldly possession may be buried with me.
- G. After finishing my burial, my family should be urged to stay for some time around my grave, supplicating for me quietly, and asking Allaah to grant me mercy, forgiveness, and firmness of words when questioned by the angels in the grave.
- H. No structure may be built over my grave.
- I. The soil over my grave should be raised no more than a hand span.
- J. No fence may be built around my grave.
- K. No writing or symbols may be placed on my grave, except for a simple rock to mark it, unless required by the law.

VIOLATIONS OF ISLAM

I ordain that innovations, violations of *Islam*, and practices of the non-Muslims, should all be prevented at my funeral.

In particular:

- A. No one may wear black as a sign of mourning.
- B. No pictures, decorations, flowers, wreaths, flags, or symbols may be included at any stage of my burial, nor be placed at the site of my grave.
- C. Recitation of *Qur'an* (even *Suratul-Fatihah* or *Yasin*) may not be done over my body during or after the funeral procedures.

CONDOLENCES

I ordain that:

- A. The people should be instructed to express their condolences in proper *Islamic* terms and manner.
- B. My family may not prepare food for the people who visit to comfort them, nor are they to hire or appoint men to recite *Qur'an* for the occasion.
- C. Gatherings may not be arranged for the specific purpose of receiving condolences, especially those made on Fridays, on the third day, after one week, forty days, annually, etc.

I disown before Allaah, the Most High, every action or saying that conflicts with the *Sunnah* of the noble Messenger (may the blessings and peace of Allaah be upon him) and the way of Ahlus-Sunnah Wal-Jama'ah.

Finally, I ask all my relatives, friends and all others, whether they choose to believe as I believed or not, to honor my right to these beliefs. I ask them to honor this document, and not to obstruct it or change it in any way. Rather, let them see that I am buried as I have indicated above, and let my estate be divided as I indicate below.

ARTICLE I - FUNERAL AND BURIAL PROCEDURES

(1) I hereby nominate and appoint one of the following, in this sequence, as dictated by their availability and willingness, to execute all foregoing and necessary provisions for my proper Islamic funeral and burial according to the way of Ahlus-Sunnah Wal-Jama'ah

FUNERAL ADMINISTRATOR

	First Choice	Second Choice	Third Choice
Name			Nearest Muslim Imam of Ahlus-Sunnah Wal-Jama'ah
Address			
Tel.			

(2) In the event of legal difficulties in administrating my funeral, I direct my Administrator to seek counsel from learned Muslim men or reputable *Islamic* organizations, which follows the way of Ahlus-Sunnah Wal-Jama'ah.

ARTICLE II - EXECUTOR AND GUARDIAN SHOULD BE FROM AHLUS-Sunnah Wal-Jama'ah.

EXECUTOR

(1) I hereby nominate and appoint one of the following, taken in this sequence, as dictated by their availability and willingness, to be the sole 'Executor' of this Will and Testament.

WILL EXECUTOR

	First Choice	Second Choice	Third Choice
Name			Nearest Muslim Imam of Ahlus-Sunnah Wal-Jama'ah
Address			
Tel.			

(2) 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.

(3) I direct that no bond or surety for any bond be required for my Executor in the performance of his/her duties.

(4) It is my will that no other action shall be held in the court in the administration of my estate than to prove and record this will, and to return an inventory and appraisal of my estate and list of claims.

GUARDIAN

I hereby nominate and appoint one of the following, taken in the same sequence as dictated by their availability and willingness, and so long as said person remains an upright and practicing Muslim of sound mind and judgment according to the way of Ahlus-Sunah Wal-Jama'ah, 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:

GUARDIAN

	First Choice	Second Choice	Third Choice
Name			Nearest Muslim Imam of Ahlus-Sunnah Wal-Jama'ah
Address			
Tel.			

ARTICLE III - MY ASSETS AND LIABILITIES

(1) Amounts and items owned by me or owed to others by me, debts, trusts, businesses, properties, bank accounts, cash etc. — as detailed in the attached sheets.

(2) I owe amounts and items, debts, trusts, etc. — as detailed in the attached sheets.

ARTICLE IV- SETTLEMENT OF DEBTS AND EXPENSES

(1) I direct that all trust properties in my possession be returned to their rightful owners. I further direct that my Executor first applies 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. I direct the said Executor to pay any outstanding obligations that are binding on me before Allaah, including unpaid *zakah* (obligatory *Islamic* charity), vows, *kaffarat* (expiating *Islamic* obligations), and unperformed *Hajj* (pilgrimage to Makkah).

(2) I direct that all inheritance, estate and succession taxes, 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 V - CONTRIBUTIONS AND TRANSFERS

(1) I bequeath the following items and amounts as testamentary transfers and/or charitable contributions to the named persons and organizations.

Name of Person or Organization	Item	Value
	2111 E SHAW AVENUE	
	FRESNO, CA. 93710	
	559-222-6686	
	www.masjidfresno.com	
	ISLAMIC CENTER	
Total		%

(2) The foregoing contributions shall be taken from the remainder of my estate after execution of Article IV, such that their total does not exceed one third of said remainder. Otherwise, each of the foregoing contributions shall be proportionally reduced to make the total within the one-third limit.

ARTICLE VI - DISTRIBUTION OF THE RESIDUARY ESTATE

(1) I direct and bequeath all of my residuary estate, after the execution of ARTICLES IV and V, as well as any portion of my estate disclaimed or refused by any of the legatees named or referred to in this Will and Testament, only to my Muslim heirs whose relationship to me, whether ascending or descending, has occurred, at each and every stage, through blood relationship or lawful marriage. The distribution of my residuary estate shall be made strictly in accordance with the *Islamic* Law of inheritance as understood by Ahlus-Sunnah Wal-Jama'ah.

(2) I direct that no part of my residuary estate shall be inherited by a non-Muslim relative, except legatees specifically named in ARTICLE V.

(3) Should I die as a result of murder, I direct that the adjudged murderer, principal or accessory in the murder, shall be disqualified from receiving any part or share of my estate.

(4) I direct that no part of my estate shall be given to relatives whose relationship to me, whether ascending or descending, has only occurred through non-Islamic marriage, illicit contact, or adoption, except: (a) legatees specifically named in ARTICLE V, or (b) individuals who are related to me through their biological mother. I further direct that a relationship based on a well-established *Islamic* marriage shall be accepted — whether or not the marriage had been confirmed with the legal authorities.

(5) I direct that any fetus, conceived before my death, whose relationship to me qualifies it to be a legal heir according to *Islam*, shall be considered an heir, provided that it is born alive, and within a reasonable term' after my death. In such a case, the distribution of my residuary estate after the execution of ARTICLES IV and V shall be delayed until after the birth of the fetus. If some of the other heirs are in urgent financial need, a disbursement may be extended to them not to exceed their minimum possible share after taking the fetus's share into consideration.

(6) I direct that any residuary estate, after the execution of ARTICLES IV and V and sections 1 through 5 of ARTICLE VI, to the following tax-exempt *Islamic* organization, which follows the way of Ahlus-Sunnah Wal-Jama'ah:

ARTICLE VII - 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.

CONCLUSION

This is my will, which I have laid out.

فَمَنْ بَدَّلَهُ وَبَعْدَ مَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ

“Whoever changes the bequest after hearing it, the sin will be upon those who make the change. Truly, Allaah is Hearing and Knowing.” [Al-Baqarah 2:181]

I ask Allaah to guide me and all the Muslims and grant us righteousness, a good end, and death upon the testimony of *Islam*

Distribution of the Possessions

My possessions should be distributed according to the Book of Allaah, the Sunnah of His Messenger (may the blessings and peace of Allaah be upon him), based on the understanding of his companions and their followers (May Allaah be pleased with all of them) and according to the way of Ahlus-Sunnah Wal-Jama'ah.

Signatures

Testator. In witness whereof, I have hereunto set my hand this day, in the presence of the witnesses hereinafter named, who attest the same at my request.

Testator

Day / Month / Year	Testator's Signature

Spouse. Realizing that some localities adopt the Community Property Rule, whereat one-half of the residual estate is considered property of the surviving spouse, I hereby decline such an allocation, declare my full consent to my spouse's last will and testament, and resign my right to challenge it.

Spouse

Day / Month / Year	Spouse's Signature

Witnesses.' We hereby certify that the above instrument was, on the date thereof, signed, published, and declared by the Testator, as his/her last Will and Testament, in our presence, who at his/her request and in his/her 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.

First Witness

Name	Date	Signature

Second Witness

Name	Date	Signature

This document is made in three copies, all the same and all original. One copy is with me, one is deposited with the Executor and one with the nearest Islamic center of Ahlus-Sunnah Wal-Jama'ah:

AFFIDAVIT

Before me, on this day, personally appeared the undersigned, known to me to be the Testator and the witnesses, respectively, whose names are signed to the foregoing instrument. All of these persons were duly sworn by me. The Testator declared to me and to the witnesses, in my presence, that the foregoing instrument is the Testator's Will and that the Testator willingly signed and executed such instrument in the presence of the witnesses, as the Testator's free and voluntary act for the purposes expressed in the instrument.

Each of the witnesses declared in the presence and hearing of the Testator that the forgoing instrument was executed and acknowledged by the Testator as the Testator's Will in their presence and that they, in the Testator's presence, hearing, and sight, and at the Testator's request, and in the presence of each other, did subscribe their names to the instrument as attesting witnesses on the date of the instrument, and that to the best of their knowledge, the Testator was eighteen years of age or older, of sound mind, under no constraint or undue influence, and the witnesses were of adult age and otherwise competent to be witnesses.

The above individuals subscribed, sworn to, and acknowledged before me.

Important Notice:

Testator should sign this page in the observance of the Notary Public only. Notary Public will accept the Testators signature in his/her presence only.

Testator

Day / Month / Year	Testator's Signature

Notary Public

Day / Month / Year	Notary Public
	2111 E SHAW AVENUE FRESNO, CA. 93710 559-222-6686 www.masjidfresno.com ISLAMIC CENTER

ADDITIONAL FORMS

On the following five pages, we have additional forms that should be appended to the will as needed. They contain information about liabilities, assets, and other matters that are subject to frequent changes. One is advised to make copies of these forms and put them in his will folder, making sure to keep them up-to-date and attach to them any required supportive documents. One may wish to reserve a separate sheet for each of the frequent creditors or debtors. References could be made to account books, safety deposit boxes, etc.

ASSETS THAT I OWN

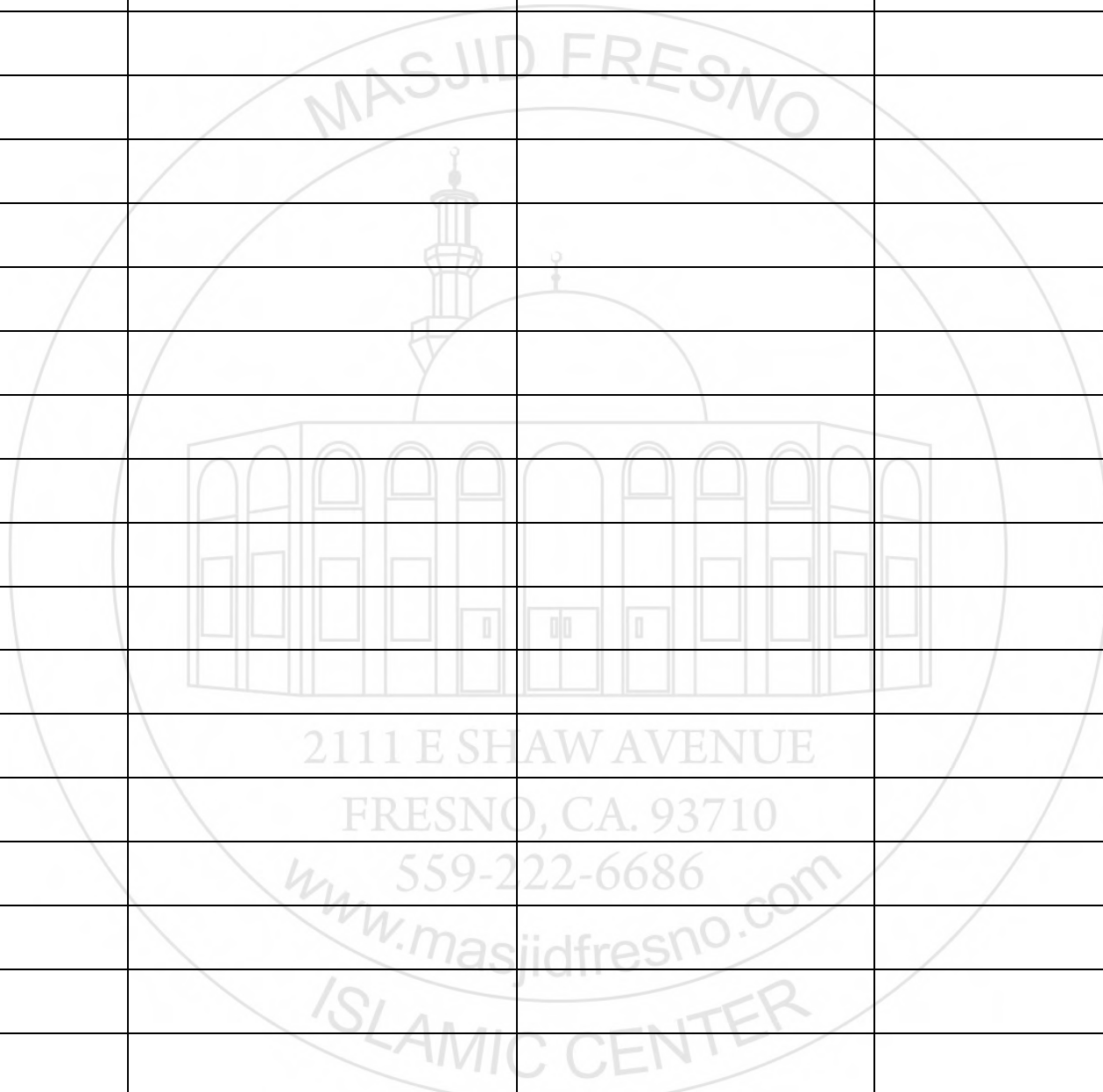
In the following table, I include items, trusts, businesses, properties, etc., that I own or are owed to me.

Item & Description	Location	Approximate Value

PROMISES AND AGREEMENTS

In the following table, I include items, trusts, businesses, properties, bank accounts, etc., that I owe or hold for others.

Date	Other Party's Name	Promise or Agreement	Notes & Signature



DISCLAIMER

This Will shall be construed and governed pursuant to the Laws of the State of California. Therefore, the testator herein hereby acknowledges that he or she should review this respective will and its effect on insurance policies, retirement benefits plans, credit cards, other credit accounts and credit reports and other matters may want to change in the view of drafting this will.

The testator herein acknowledges that he or she has been advised to seek own independent tax advice relative to the taxable consequences of this will, if any.

The testator herein acknowledges that he or she has been advised before drafting or signing this will, he or she has read each of the provisions hereof in full, and acknowledges that it is voluntarily entered into, and that he or she completely understands its legal effect.

If the testator is not represented by counsel, he or she understands that he or she should seek advice of counsel prior to executing this will.

The testator herein acknowledges that "Masjid Fresno" is independent and is not related to this Will or the outcome of this Will and is in no way, form or shape can be held liable for any issues or claims that will arise out of this Will.



2111 E SHAW AVENUE
FRESNO, CA. 93710

APPENDIX

1. Ahlus-Sunnah Wal-Jama'ah are those who follow the Book of Allaah, the Sunnah of His Messenger (may the blessings and peace of Allaah be upon him), his companions and their followers.
2. Mourning is a display of sadness through abstaining from common show of pleasure and happiness.
3. 'Iddah is the period of waiting before a woman can consider re-marrying.
4. Lahd is a horizontal niche made large enough for the body to be placed on the right side and facing the Qiblah therein.
5. The Executor should be a young, practicing Muslim from Ahlus-Sunnah Wal-Jama'ah. One may appoint a spouse, child, or friend.
6. The period of pregnancy is normally nine months, but varies among women. Thus, medical advice may need to be consulted in doubtful cases.
7. Witnesses should be young, familiar with the Testator, and unlikely to move away soon and they should be from Ahlus-Sunnah Wal-Jama'ah.
8. Signatures should be done in the presence of the witnesses and a notary public. The signatures should be original on all copies. The Testator should also initial each page of the will in the designated place at the bottom.

Procedures

All questions regarding Washing, Enshrouding, Funeral Prayer, and Burial, Etc...
Please Contact the Masjid Fresno Funeral Committee:

Email:	Funeral@MasjidFresno.org
Telephone:	(559) 222- 6686

All questions or help regarding this Will
Please Contact the Masjid Fresno immediately:

Email:	Will@MasjidFresno.org
Telephone:	(559) 222- 6686

