


iTrust 

Islamic Endowment WAQF

مؤسسة الوقف الإسلامي

Last Will and Testament

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



PERSONAL LAST WILL AND TESTAMENT

A service provided by "I TRUST", a Non-for-Profit Organization

The Islamic Trust "I TRUST" Waqf organization of Louisville, Kentucky, is pleased to offer this last Will and Testament as service to our entire Muslim community. I Trust strives to become a model of excellence in the management of Islamic Endowment and Will according to authentic mainstream Islamic principles.

Terminology: Some terms you need to know and understand at the time of writing the Will:

Testator: The person who is making the Will and signing his or her name.

Beneficiary: The person (inheritor) who receives an inheritance through a Will.

Executor: The trustee person appointed by the testator to supervise the execution of his/her Will after the testator's decease.

Guardian: The person appointed by the testator to be legally and Islamically in charge of caring for minors after the testator's decease.

Residuary estate: What remains of the legacy after covering burial expenses, clearance of all debt obligations, and execution of the testator's Will.

Inheritance: What remains of the legacy after covering burial expenses, clearance of all debt obligations and execution of the testators well

Will Definition: A Will, or last Will and testament, is simply a legal document in which, the Testator, declares who will manage his/her estate after death, who will be the guardian for minors after death and to whom wish various assets to be given. Islam has strongly emphasized that everyone makes a Will in his lifetime.

Disclaimer: I Trust does not hereby provide any legal advice, nor does it bear any liability or responsibility for any result of any use/abuse of this form by any person.

LAST WILL AND TESTAMENT

OF

I, (Name of Testator) _____

Presently residing at _____

City of _____ County of _____ State of _____

being of sound mind and memory, do hereby revoke all former Wills made by me, and declare this is my Last Will and Testament made the

_____ day of _____ 20_____

At the time of the execution of this Will, my immediate family consists of:

My HUSBAND/WIFE, _____ herein sometimes referred to as "SPOUSE," and my children:

1 _____ born _____ 2 _____ born _____

3 _____ born _____ 4 _____ born _____

5 _____ born _____ 6 _____ born _____

GENERAL WILL STATEMENT

PREAMBLE: All praise to Allah. I bear witness that Allah is the only deity. And I testify that the Prophet Muhammad (pbuh) is His servant and Messenger. I bear witness that Allah is the Truth, that His promises are true, and that meeting with Him is true.

This is my advice to my family and friends: strive to be true Muslims by worshipping Allah, fearing Him, obeying Him, and loving Him and His Prophet. Let them die only in complete surrender to His Will.

I advise them to follow the Sunnah of their Prophet Muhammad (pbuh) in all aspects of life, and to instill in their children a love of Allah and His Prophet, as well as adherence to His laws, to the best of their abilities.

Nobody dies before his or her time. So, as the religion of Islam requires, maintain patience and self-control. Finally, I ask that all my relatives and friends respect this document that I have created and not try to obstruct or change it in any way. Add any other general advice, below.

ARTICLE 1. FUNERAL AND BURIAL RIGHTS

I wish and request to:

1. Perform Sunnah-compliant washing, shrouding, burial, and funeral prayers on time.
2. My body will not be autopsied or mummified unless necessary.
3. No non-Islamic rituals should be performed at my funeral.
4. Do not transport my body a long distance from where I died.
5. I will not expose my body in public and will limit this to only my family members.

For my Islamic funeral and burial, I hereby:

Assign and appoint _____

residing at _____

Phone/email _____

and/or _____

residing at _____

Phone/email _____

to carry out all necessary funeral and burial rights provisions. If he/she is unwilling or unable to do so, I nominate and appoint the Imam/president of my local Muslim community center or mosque in the area to supervise and carry out the funeral and burial procedures.

Include any special instructions or notes:

ARTICLE 2. WILL EXECUTOR AND CHILDREN GUARDIAN

It is strongly advised to obtain prior permission from the executor(s) and guardian(s).

2.1 EXECUTOR(S)

I assign and appoint the following to be the Executor(s) and Trustee(s) of my Will.

Assign and appoint _____

residing at _____

Phone/email _____

and/or _____

residing at _____

Phone/email _____

I give my executor(s), herein named, authority to ensure that my estate is administered according to the principles of Islamic law and that my wishes, as expressed in this will, are carried out. as well as authority to:

- 1) Settle any claim for or against my estate.
- 2) Pay my religious dues, funeral expenses, and other expenses of administering my estate, as soon as possible after my death.
- 3) As soon as reasonably possible after my death, divide and pay or transfer the balance of my estate.

If he/she is unwilling or unable to do so, I nominate and appoint the Imam/president of my local Muslim community center or mosque in the area to supervise and carry out the Will execution procedures.

Include any special instructions or notes:

2.2 CHILDREN GUARDIAN(S)

If any of my children are minors at the time of my death, I recommend that my husband/wife _____ be appointed guardian of my minor children, assuming he/she is a Muslim. If he or she is unable or unwilling to serve as personal guardian, then:

I assign and appoint _____

residing at _____

Phone/email _____

and/or _____

residing at _____

Phone/email _____

to be the Guardian(s) of my minor children in the event of my death. I request that the guardians provide for the upbringing and education of my minor children in accordance with Islamic customs and teachings.

Include any special instructions or notes:

ARTICLE 3. ASSETS, DEBTS AND RIGHTS

3.1 ASSETS

List of all my assets and property, including cash, bank accounts, life insurance policies, real estate, jewelry, shares/stocks, lockers, and so on. I direct my Executor(s) and Trustee(s) to:

- a. Use the assets of my estate to pay off all my legal debts.
- b. Pay any outstanding "obligations to Allah" that I owe, such as unpaid Zakat, etc.
- c. Pay all inheritance, estate, and succession taxes on my residuary estate's principal.

	Assets, property	Location	Contact / Comments
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Include any special instructions or notes:

3.2 DEBTS

List of debts and property of other to whom I direct Executor(s) and Trustee(s) to pay/return to the rightful owner(s):

	Entity to whom I owe	Amount/Property owed	Contact / Comments
1			
2			
3			
4			
5			

Include any special instructions or notes:

3.3 RIGHTS

List of debts and property that belong to me and must be collected from others who hold them as "trust," "loan," and so on.

	Name of entity owes me	Amount/Property owed to me	Contact / Comments
1			
2			
3			
4			
5			

I declare that I have forgiven everyone who has ever done me wrong. I beg all those who knew me to forgive me out of the goodness of their hearts.

Include any special instructions or notes.

ARTICLE 4. GIFTS AND CHARITABLE CONTRIBUTIONS

I hereby direct my Executor(s) and Trustee(s) to make the following charitable contributions to the individuals and organizations listed below as a percentage or amount of my estate remaining after the execution of Article 3; Debts and Rights. Gifts and charitable contributions may not exceed one-third of the net estate value.

	Name of person or organization	\$ Amount or % Percentage * ¹	Notes / Comments
1			
2			
3			
4			
5			

Include any special instructions or notes; _____

ARTICLE 5. ESTATE REMAINDER DISTRIBUTION

After making provision for payment of my obligations and distributions provided in Articles 3 and 4, I direct that any residue and remainder of my estate (disclaimed, refused to be received, or non-existence of my Islamic heirs) be distributed to the following person(s) or organization(s) in accordance with Islamic tenets:

	Name of person or organization	\$ Amount or % Percentage	Notes
1			
2			
3	I TRUST Waqf organization *		

*Optional: I TRUST Waqf organization is a non-for-profit organization dedicated to supporting Islamic schools, mosques, and community services.

ARTICLE 6. SEPRABILITY

If any part of this will is determined invalid by a court, the other parts shall remain valid and enforceable.

TESTATOR, WITNESSES, AND NOTARY PUBLIC SIGNATURES

SELF-PROVING AFFIDAVIT

THE STATE OF _____ THE COUNTY OF _____

On this day, personally appeared before me, the undersigned, I _____

The witnesses are _____ and _____

I declare that this last Will has been signed by me in the presence of the witnesses whose signatures appear below, and that I signed this will voluntarily and free from any undue influence.

This is my final Islamic Will, written in my own hand.

on this _____ day of _____ of the year 20 _____

Testator's Name _____

ID # _____

Testator's Signature _____

SIGNED by the Testator and declared as his last Will and Testament in the presence of us both at the same time hereunto subscribed our names as witnesses believing said Testator to be of sound mind and memory at the time of signing.

Name of Witness 1 _____ Name of Witness 2 _____

Address _____ Address _____

ID # _____ ID # _____

Signature _____ Signature _____

This _____ page document is printed in _____ copies:

First, make a copy with (Testator). Other copies (optional) are kept by _____

Notary Public

Name

Commission Expires

Signature

Date

AMENDMENTS

Seven horizontal lines for writing amendments.

Written on (day/ month/year) _____

Testator name _____

Testator Signature _____

Name of Witness 1 _____ Name of Witness 2 _____

Address _____ Address _____

Phone/email _____ Phone/email _____

Signature _____ Signature _____

Notary Public

Name

Date

Signature

Commission Expires
