A Wisconsin last will and testament is a legal document in which a testator (person to whom the will belongs) states their final wishes regarding the distribution of their estate upon death. For most testators, the main priority will be the continued protection of a spouse and/or children. A testator can bequeath real and personal property, fiduciary assets, cash-on-hand, life insurance policies, and any other portion of their estate among designated beneficiaries. The will may also be used to appoint an executor of the will or personal representative who will appropriately handle the estate.

A will must be signed by the testator before two (2) credible, competent witnesses to be legally recognized under Wisconsin law. Though optional, a will can be notarized for extra legal protection. This document may be amended or revoked at any time by the testator.

**Laws**

Chapter 853 (Wills)

**Signing Requirements**

Shall be signed by the Testator and by two (2) Witnesses. (Section 853.03)

**State Definition**

Section 851.31

Unless the context or subject matter indicates otherwise, “Will” includes a codicil and any document incorporated by reference in a testamentary document. “Will” does not include a copy, unless the copy has been proven as a will, but “will” does include a properly executed duplicate original

**NOTES:**

 **Wisconsin Last Will and Testament OF**

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Pursuant to Chapter 853 (Wills)

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, resident in the city of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of Wisconsin being of sound mind, not acting under duress or undue influence, and fully understanding the nature and extent of all my property and of this disposition thereof, do hereby make, publish, and declare this document to be my Last Will and Testament, and hereby revoke any and all other wills and codicils heretofore made by me.

**PREAMBLE**

I bear witness that there is no deity but Allah, the One, the Merciful, the Almighty— Creator of the heavens and the earth and all therein—God of Abraham, Moses, Jesus, Muhammad, and all the Prophets, mercy and peace be upon them all. He is One God and He has no partner. And I bear witness that the Prophet Muhammad is His Servant and his Messenger and the last of all the Prophets, mercy and peace be upon him. I bear witness that Allah is the Truth, that His promise is Truth, and that the Meeting with Him is Truth. I bear witness that Paradise is Truth and that Hell is Truth. I bear witness that the coming of the Day of Judgment is Truth, there is no doubtabout it, and that Allah, who is exalted about all deficiencies and imperfections, will surely resurrect the dead of all 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 worshiped, 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 and no woman dies before his/her 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 the 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 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 period of waiting is completed. Wailing and excessive lamentation is forbidden by the Creator, and it reflects only a 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 right 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 I: FUNERAL AND BURIAL RIGHTS**

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

1. **PERSONAL REPRESENTATIVE**

I nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ as Personal Representative of my estate and I

request that (he/she) be appointed temporary Personal Representative if (he/she)

applies. If my Personal Representative fails or ceases to so serve, then I nominate

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, County of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to serve and

, to exe- cute these and other necessary provisions for my Islamic funeral and burial.

1. In the event of legal difficulties in the execution of this Article, I direct the above-

named person to seek counsel from the American Albanian Islamic Center of Wisconsin, currently located in 6001 88th Avenue, Kenosha, Wisconsin 53142, United States, PH: (262)-654-0575

1. I ordain that absolutely no non-Islamic religious service or observance shall be conducted upon my death or on my body.
2. I ordain that no pictures, crescents or stars, decorations, crosses, flags, any

symbols—Islamic or otherwise—or music shall be involved at any stage of the process of conducting my burial or ever be placed at the site of my grave.

1. I ordain that my body shall not be transported over any unreasonable distance from the locality of my death, particularly when such transportation would necessitate embalming, unless when long distance transportation is required to reach the nearest Muslim cemetery or any other cemetery selected by my Muslim family.
2. I ordain that my grave shall be dug deep into the ground in complete accordance with the specifications of Islamic practice and that it faces the direction of Qiblah (the direction of the city of Mecca in the Arabian Peninsula, towards which Muslims face for prayer). g. I ordain that my body shall be buried without a casket or any encasement that separates the wrapped body from the surrounding soil. In the event that local laws require casket encasement, I ordain that such encasement be of the simplest, most modest, and least expensive type possible. I further ordain that the encasement be left open during burial and filled with dirt, unless prohibited by law.
3. I ordain that my grave shall be level with the ground or slightly mounded, with no construction or permanent structure of any kind over it. The marking—if necessary—should be a simple rock or marker, merely to indicate the presence of the grave. There should be no inscriptions or symbols on the said marking.

**ARTICLE II: EXECUTOR AND GUARDIAN**

a. I hereby nominate and appoint, presently residing at, to be the executor of this, my Last Will and Testament. In the event that he/she will be unwilling or unable to act as executor, I nominate and

appoint

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, residing at, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 , to be executor of this, my Last Will and Testament.

b. 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 inter- est, without court order and without bond. I direct no bond or surety for any bond be required for my executor in the performance of his/her duties.

c. I hereby nominate and appoint, presently residing at, to be the guardian of the persons and estates of such of my children who shall be minor at and after my death, during their minority, so long as said guardian remains a Muslim of sound mind and judgment. In the event he/she shall be unwilling or unable to act as guardian, I nominate and appoint

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, residing at, to be the guardian.

**ARTICLE III: DEBTS AND EXPENSES**

a. I direct that my executor applies first, 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 administrating my estate. I direct the said executor to pay any “obligations to Allah” the rights of Allah which are binding on me, such as unpaid Zakah, and any religious donations of money or food made to help those in need. Unperformed pilgrimage (Hajj).

b. I direct that all inheritance, state, and succession taxes (including interest and other 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 IV: CHARITABLE CONTRIBUTIONS AND TESTAMENTARY TRANSFER**

I direct and ordain my executor to pay the following contributions and transfers, not to exceed one third of the remainder of my estate after making provision for payments of my obligations mentioned in Article III, to the following named persons and organizations:

Name of Persons Percent of remainder of my

or Organizations estate after execution of Article III In # In Words

1. American Albanian Islamic Center of Wisconsin (\_\_\_%); percent
2.
3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. Total: (\_\_\_%); percent (\_\_\_ %);

percent (\_\_\_ %); percent (\_\_\_%);

percent

**ARTICLE V: DISTRIBUTION OF THE REMAINDER OF MY ESTATE**

1. I direct, devise, and bequest all the residue and remainder of my estate after making provision for payment of my obligations and distributions provided in Article III and IV, to only my Muslim heirs whose relation 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: AAICW —SCHEDULE A: INHERITANCE\* This Schedule A is signed by me as a part of this Last Will and Testament

b. I direct that no part of the residue and remainder of my estate shall be inherited by any non-Muslim relative, whether he/she is kin or an in-law, spouse, parent, or child. I furtherdirect and ordain that any non-Muslimrelative be disregarded and disqualified in the application of the named schedule.

c. Should I die as a result of murder, I direct that the adjured murderer, principal or accessory in the murder shall be disqualified to receive any part of my estate. Me, ascending or descending, has occurred through non-Islamic and unlawful marriage, or through adoption, at each and every point, except the following:

1. Legatees specifically named in Article IV
2. A relative who is related to me through his/her biological mother.
3. I direct and devis that any fetus, conceived before my death, whose relationship to me qualifies it to be an heir according to this Article, shall be considered as an heir if the following condition is fulfilled: the fetus should be born alive within 365 days of my death. I further direct and devise that whenever there exists a fetus who may become an heir according to this section, the whole distribution of the residue and remainder of my estate after the execution of Articles III and IV shall be delayed until after the birth of this fetus: or that the largest potential share of the fetus be set aside until its birth alive. Should the fetus be born alive, but qualify for a lesser share, or should it not be born alive within the 365 days, any surplus of the set aside amount must be returned to the estate and distributed according to Schedule A.
4. I direct, devise, and bequest all the residue and remainder of my estate of every nature and kind and whenever situated after making provisions for payment of my obligations and distribution of my estate as provided in Articles III and IV. 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, or the remainder of my estate in the event of non-existence of my Islamic heirs, shall be given to the American Albanian Islamic Center of Wisconsin (AAICW), as a contribution for establishing Islamic school, center, mosques, and other AAICW activities in Wisconsin, United States.

**ARTICCLE VI: SEPARABILTY**

I direct and ordain that if any part of this last will and Testament is determined invalid by 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 \_\_\_\_\_\_\_\_\_\_\_ the year\_\_\_\_\_\_\_\_\_\_\_

me, ascending or descending, has occurred through non-Islamic and unlawful marriage, or through adoption, at each and every point, except the following:

1. Legatees specifically named in Article IV

2. A relative who is related to me through his/her biological mother

e. I direct and devise that any fetus, conceived before my death, whose relation- ship to me qualifies it to be an heir according to this Article, shall be considered as an heir if the following condition is fulfilled: the fetus should be born alive within 365 days of my death. I further direct and devise that whenever there exists a fetus who may become an heir cording to this section, the whole distribution of the residue and remainder of my estate after the execution of Articles III and IV shall be delayed until after the birth of the fetus; or that the largest potential share of the fetus be set aside until its birth alive. Should the fetus be born alive, but qualify for a lesser share, or should it not be born alive within the 365 days, any surplus of the set aside amount must be returned to the estate and distributed according to Schedule A.

f. I direct, devise, and bequest all the residue and remainder of my estate of every nature and kind and whenever situated after making provisions for payments of my obligations and distribution of my estate as provided in Articles III and IV. 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, or the remainder of my estate in the event of non-existence of my Islamic heirs, shall be given to the AlbanianIslamic Center of Wisconsin (AAICW) as a contribution for establishing Islamic school, center, mosques, and other AAICW activities in Wisconsin, United States.

**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. In witness whereof, I have hereunto set my hand and seal this day of

 of the year. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Legal Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Muslim Name, if different We hereby certify that the forgoing instrument was on the date thereof signed, published, and declared by the Testator, and as for 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 the signing to be of sound mind and memory.

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

This document, comprising pages, including AAICW -Schedule A, is made in THREE copies. The original is with me, one copy is deposited with the American Albanian Islamic Center of Wisconsin and one copy is with:

**DISPOSITION OF PROPERTY**

I devise and bequeath my property, both real and personal and wherever situated, as

follows:

1st Beneficiary

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] who’s last four (4) digits of there

Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2nd Beneficiary

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] who’s last four (4) digits of there

Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3rd Beneficiary

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [full name], currently of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[address], as my \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [relation] who’s last four (4) digits of there

Social Security Number (SSN) are xxx-xx-\_\_\_\_\_ with the following property:

If any of my beneficiaries have pre-deceased me, then any property that they would have received if they had not pre-deceased me shall be distributed to only my Muslim heirs whose relation 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: AAICW —SCHEDULE A: INHERITANCE. Quranic Heirs and residuary Heirs.

**VIII. OMISSION**

Except to the extent that I have included them in this Will, I have intentionally, and not as a result of any mistake or inadvertence, omitted in this Will to provide for any family members and/or issue of mine, if any, however defined by law, presently living or hereafter born or adopted. Quranic Heirs and residuary Heirs.

**IX. DISCRETIONARY POWERS OF PERSONAL REPRESENTATIVE**

My Personal Representative, shall have and may exercise the following discretionary powers in addition to any common law or statutory powers without the necessity of court license or approval:A. To retain for whatever period my Personal Representative deems advisable any property, including property owned by me at my death, and to invest and reinvest in any property, both real and personal, regardless of whether any particular investment would be proper for a Personal Representative and regardless of the extent of diversification of the assets held hereunder.

B. To sell and to grant options to purchase all or any part of my estate, both real and personal, at any time, at public or private sale, for consideration, whether or not the highest possible consideration, and upon terms, including credit, as my Personal Representative deems advisable, and to execute, acknowledge, and deliver deeds or other instruments in connection therewith.

C. To lease any real estate for terms and conditions as my Personal Representative deems advisable, including the granting of options to renew, options to extend the term or terms, and options to purchase.

D. To pay, compromise, settle or otherwise adjust any claims, including taxes, asserted in favor of or against me, my estate or my Personal Representative.

E. To make any separation into shares in whole or in part in kind and at values determined by my Personal Representative, with or without regard to tax basis, and to allocate different kinds and disproportionate amounts of property and undivided interests in property among the shares.

F. To make such elections under the tax laws as my Personal Representative shall deem appropriate, including elections with respect to qualified terminable interest property, exemptions and the use of deductions as income tax or estate tax deductions, and to determine whether to make any adjustments between income and principal on account of any election so made.

G. To make any elections permitted under any pension, profit sharing, employee stock ownership or other benefit plan.

H. To employ others in connection with the administration of my estate, including legal counsel, investment advisors, brokers, accountants and agents and to pay reasonable compensation in addition to my Personal Representative’s compensation.

I. To vote any shares of stock or other securities in person or by proxy; to assert or waive any stockholder’s rights or privilege to subscribe for or otherwise acquire additional stock; to deposit securities in any voting trust or with any committee.

J. To borrow and to pledge or mortgage any property as collateral, and to make secured or unsecured loans. My Personal Representative is specifically authorized to make loans without interest to any beneficiary hereunder. No individual or entity loaning property to my Personal Representative or trustee shall be held to see to the application of such property.

K. My Personal Representative shall also in his or her absolute discretion determine the allocation of any GST exemption available to me at my death to property passing under this Will or otherwise. The determination of my Personal Representative with respect to any elections or allocation, if made or taken in good faith, shall be binding upon all affected.

**XI. CONTESTING BENEFICIARY**

If any beneficiary under this Will, or any trust herein mentioned, contests or attacks this Will or any of its provisions, any share or interest in my estate given to that contesting beneficiary under this Will is revoked and shall be disposed of in the same manner provided herein as if that contesting beneficiary had predeceased me.

**XII. GUARDIAN AD LITEM NOT REQUIRED**

I direct that the representation by guardian ad litem of the interests of persons unborn, unascertained or legally incompetent to act in proceedings for the allowance of accounts hereunder be dispensed with to the extent permitted by law.

**XIII. GENDER**

Whenever the context permits, the term “Personal Representative” shall include “Executor” and “Administrator,” the use of a particular gender shall include any other gender, and references to the singular or the plural shall be interchangeable. All references to the Internal Revenue Code shall mean the Internal Revenue Code of 1986 or any successor Code. All references to estate taxes shall include inheritance and other death taxes.

**XIV. ASSIGNMENT**

The interest of any beneficiary in this Will, shall not be alienable, assignable, attachable, transferable nor paid by way of anticipation, nor in compliance with any order, assignment or covenant and shall not be applied to, or held liable for, any of their debts or obligations either in law or equity and shall not in any event pass to his, her, or their assignee under anyinstrument or under any insolvency or bankruptcy law, and shall not be subject to the interference or control of creditors, spouses or others.

**XV. GOVERNING LAW**

This document shall be governed by the laws in the State of Wisconsin and the Holy Quran.

**XII. BINDING ARRANGEMENT**

Any decision by my Personal Representative with respect to any discretionary power hereunder shall be final and binding on all persons interested. Unless due to my Executor’s own willful default or gross negligence, no Executor shall be liable for said Executor’s acts or omissions or those of any co-Executor or prior Executor. I, the undersigned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do hereby declare that I sign and execute this instrument as my last Will, that I sign it willingly in the presence of each of the undersigned witnesses, and that I execute it as my free and voluntary act for the purposes herein expressed, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Testator Signature Testator (Printed Name) The foregoing instrument, was on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_,

subscribed on each page and at the end thereof by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the above-named Testator, and by (him/her) signed, sealed, published and declared to be (his/her) LAST WILL AND TESTAMENT, in the presence of us and each of us, who thereupon, at (his/her) request, in (his/her) presence, and in the presence of each other, have hereunto subscribed our names as attesting witnesses thereto.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Address

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Witness Signature Address

TESTAMENTARY AFFIDAVIT

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, SS.**

Before me, the undersigned authority, on this day personally appeared

\_\_\_\_\_\_\_\_\_\_\_, testator, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, witness and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

witness, known to me to be the testator and the witnesses, respectively, whose names are signed to the attached or foregoing instrument, and, all of these persons being by me duly sworn, the testator declared to me and to the witnesses in my presence that the instrument is the testator’s last will and that the testator has willingly signed or directed another to sign for him/her, and that the testator executed it as the testator’s free and voluntary act for the purposes therein expressed; and each of the witnesses stated to me, in the presence of the testator, that they signed the will as witnesses and that to the best of their knowledge the testator was eighteen (18) years of age or over, of sound mind and under no constraint or undue influence.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Testator Signature Witness Signature

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Witness Signature

Subscribed and sworn to before me by the said testator and the said witnesses, this

\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Notary Public

My Commission expires:

**AAICW—SCHEDULE A: THE ISLAMIC DISTRIBUTION OF THE ESTATE**

I ordain and direct that this schedule be used as the only reference for distribution of the residue and remainder of my estate, referred to in Article V. This schedule is a part of my Last Will and Testament.

**CASE NO. 1: ONE SON OR MORE AND ANY NO. OF DAUGHTERS**

Surviving Heirs Share of the Remainder of My Estate

1.a) with no other relatives he, or they, get all the remainder such that sons are equal in their class, daughters are equal in their class, and

for a daughter half of a son’s share.

1.b) with wife 1/8 to wife, the rest as in (1.a)

1.c) with husband 1/4 to husband, the rest as in (1.a)

1.d) with father and mother 1/6 to father and 1/6 to mother, the rest as in (1.a)

1.e) with one parent 1/6 to parent, the rest as in (1.a)

1.f) with any possible combination spouse and parents take shares

of (1.b), (1.c), (1.d), and (1.e) mentioned above, and the rest as in (1.a)

1.g) with father of father, no parents, 1/6 to father of father and the rest as in (1.a)

no other grandparents

1.h) with father of father and mother of 1/6 to father of father, 1/6 to either father or mother of mother, no parents mother of father or mother of mother,

the rest as in (1.a)

1.i) (1.g) or (1.h) with wife 1/6 to mother of father or of mother (if she exists); 1/6 to father of

father, 1/8 to reviving Heirs Share of the Remainder of My Estate

1.k) with father of father, and mother, 1/6 to mother, 1/6 to father of father, no father the rest as in (1.a)

1.l) (1.k) with wife 1/6 to mother, 1/6 to father of father,

1/8 to wife, and the rest as in (1.a)

1.m) (1.k) with husband 1/6 to mother, 1/6 to father of father,

1/8 to wife, and the rest as in (1.a)

1.n) with father and mother of mother 1/6 to mother of mother, 1/6 to father, (no mother) and the rest as in (1.a)

1.o) (1.n) with wife 1/6 to father, 1/6 to mother of mother,

1/8 to wife, and the rest as in (1.a)

1.p) (1.n) with husband 1/6 to father, 1/6 to mother of mother,

1/4 to husband, and the rest as in (1.a)

1.q) with either mother of father or 1/6 to mother of mother or mother of mother of mother,

no parents, and no father, the rest as in (1.a) father of father

1.r) (1.q) with wife 1/6 to mother of mother or mother of father, 1/8 to wife, the rest as in

(1.a)

1.s) (1.q) with husband 1/6 to mother of mother or mother of father, 1/4 to husband, the rest

as in (1.a)

1.t) (1.h), (1.n), or (1.q), but instead of grandmothers share equally 1/6, father one grandmother, there are two or grandfather 1/6, the rest as in (1.a) more, same degree, grandmothers (i.e., mother of mother and mother of

father; or mother of mother of mother, mother of mother of father, and mother of father of father, disregard mother of father of mother, and no mother of mother nor mother of father)

1.u) (1.t) with husband or wife grandmothers share equally 1/6, father or grandfather 1/6, husband 1/4, or wife 1/8, the rest as in (1.a)

Surviving Heirs Share of the Remainder of My Estate

1.v) In each of (1.a) through (1.u), disregard all other relatives not mentioned in the relevant

subcases.

IF TESTATOR’S CASE IS UNDER NO. (1), BUT NOT FOUND ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE AMERICAN ALBAIAN ISLAMIC CENTER OF WISCONS.

**CASE NO. 2: DAUGHTER OR DAUGHTERS; NO SONS**

Surviving Heirs Share of the Remainder

2.a) with no other relatives If one only, she takes all the remainder. If more than one, they equally share all the remainder.

2.b) with wife 1/8 to wife, the rest as in (2.a)

2.c) with husband 1/4 to husband, the rest as in (2.a)

2.d) with father 1/2 to the one daughter, 1/2 to father. If more than one, they share 2/3 equally and 1/3 to father.

2.e) with mother 1/4 to mother, 3/4 to daughter. If more than one, they share 4/5 equally and 1/5 to mother.

2.f) with both parents 1/6 to mother, 1/3 to father, 1/2 to daughter. If more than one, 2/3 to daughters equally, 1/6 to mother, and 1/6 to father.

2.g) with wife and father 1/8 to wife, 1/2 to daughter, and 3/8 to father. If more than one, 2/3 to daughters equally,1/8 to wife, and 5/24 to father

2.h) with wife and mother 1/8 to wife, 7/32 to mother, 21/32 to daughter. If more than one, 1/8 to wife, 7/40 to mother, and 7/10 to daughters equally.

Surviving Heirs Share of the Remainder

2.i) with wife and both parents 1/8 to wife, 1/6 to mother, 5/24 to father, and 1/2 to daughter. If more than one, 3/27 to wife, 4/27 to mother, 4/27 to father, and 16/27 to daughters equally.

2.j) with husband and father 1/4 to husband, 1/4 to father, and 1/2 to daughter. If more than one, 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. If more than one, 3/13 to husband, 2/13 to mother, and 8/13 to daughters equally.

2.l) with husband and both parents 3/13 to husband, 2/13 to father, 2/13 to mother, and 6/13 to daughter. If more than one, 3/15 to husband, 2/15 to father, 2/15 to mother, and 8/15 to daughters equally.

2.m) with father of father, 1/2 to father of father, 1/2 to daughter. no father, and no brothers If more than one, 1/3 to father of father and 2/3 to daughters equally.

2.n) (2.m) with wife as in (2.g), but father of father in place of father.

2.o) (2.m) with husband as in (2.j), but father of father in place of father.

2.p) (2.m) with mother, or as in (2.f), but father of father in place without mother but with either mother of father and grandmother in place of father or mother of mother the two grandmothers divide share of mother equally between themselves.

2.q) (2.p) with wife as in (2.i), but father of father in place of father and grandmother in place of mother; the two grandmothers divide the share of mother equally between themselves.

Surviving Heirs Share of the Remainder

2.r) (2.p) with husband as in (2.l) but father of father in place of father and grandmother in place of mother; the two grandmothers divide the share of mother equally between themselves.

2.s) (2.p), (2.q), (2.r) but in place of the two grandmothers (or the three mother, both mother of mother great grandmothers) share equally what of father; or mother of mother of mother, is assigned to the mother or one mother of mother father and mother ofgrandmother in cases (2.p), (2.q), and father of father; disregard mother of (2.r); the rest as in (2.p), (2.q), and (2.r) father of mother respectively.

2.t) with son of son 1/2 to daughter, 1/2 to son of son. If more than one, 2/3 to daughters equally and 1/3 to son of son.

2.u) with more than one son of son(s) As in (2.t), but the share of son of son is and any number of daughters of son(s) divided among son of son(s) and daughters of son(s) according to rules stated in (1.a).

2.v) (2.t) or (2.u) with wife or husband 1/2 to daughter, 1/8 to wife, or 1/4 to husband, the rest to children of son(s) as in (2.t) or (2.u). If more than one daughter, 2/3 to daughters equally, 1/4 to husband or 1/8 to wife, the rest to children of son(s) as in (2.t) or (2.u).

2.w) (2.v) with both parents 1/2 to daughter, 1/8 to wife, 1/6 to mother, 1/6 to father, and 1/24 to grandchildren as in (2.t) or (2.u). 6/13 to daughter, 3/13 to husband, 2/13 to father, 2/13 to mother, nothing to grandchildren. If more than one daughter, 16/27 to daughters equally, 3/27 to wife, 4/27 to mother, 4/27 to father, nothing to grandchildren. 8/15 to daughters, 3/15 to husband and 2/15 to mother, 2/15 to father, nothing to grandchildren.

Surviving Heirs Share of the Remainder

2.x) (2.v) with one parent 1/2 to daughter, 1/8 to wife, 1/6 to parent, and 5/24 to children ofson(s) as in (2.t) and (2.u); or, 1/2 to daughter, 1/4 to husband, 1/6 to parent, and 1/12 to children of son(s) as in (2.t) and (2.u). If more than one daughter, 2/3 to daughters, 1/8 to wife, 1/6 to parent and 1/24 to children of son(s) as in (2.t) and (2.u); or, 8/13 to daughters, 2/13 to parent and 3/13 to husband, nothing to grandchildren.

2.y) (2.v) with father of father, no father as in (2.w), but replace father of father and no brothers, and mother; or with for father and grandmother(s) for father of father, no father and no mother. Share of grandmothers is divided brother(s) and grandmother(s) on either equally between them side, and no mother.

2.z) with daughters of son(s) and no 3/4 to the daughter and 1/4 to sons of son’s daughter(s) of son(s), equally between them. If more than one daughter; all to daughters, nothing to daughter(s) of son(s).

2.aa) with sister(s) of same parents 1/2 to the daughter, 1/2 to sister (or (No brothers), or with brother(s) of brother), or equally among all sisters (or the same two parents (no sisters) brothers). If more than one daughter;

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

2.bb) with sister(s) and brother(s) of 1/2 to daughter, 1/2 to sister(s) and the same two parents’ brother(s) on the basis of one share to female and two shares to male. If more than one daughter, 2/3 to daughters, 1/3 to sister(s) and brother(s) on same basis.

2.cc) (2. aa) or (2.bb) with wife or 1/2 to daughter, 1/8 to wife and 3/8 to husband sister(s) and/or brother(s) as in (2. aa) and (2.bb). 1/2 to daughter, 1/4 to

Surviving Heirs Share of the Remainder

husband, 1/4 to sister(s) and/or brother(s) as in (2. aa) or (2.bb) respectively. If more than one daughter, 2/3 to daughters, 1/4 to husband, or 1/8 to wife, the rest to sister(s) and/or brother(s) as in (2. aa) or (2.bb) respectively.

2.dd) with uncle(s) from same parents 1/2 to daughter and the rest to uncle, or as father uncles equally between them. If more than one daughter, 2/3 to daughters and the rest to uncle or uncles equally between them.

2.ee) with one grandmother, either side, 5/6 to daughter and 1/6 to or both grandmothers’ grandmother or grandmothers, equally between them. If more than one daughter, 5/6 to daughters and 1/6 to grandmother(s).

IF THE TESTATOR’S CASE IS UNDER NO. 2 BUT NOT FOUND ABOVE, THE EXECUTOR MUST FOLLOW THE ADVICE OF THE AMERICAN ALBAIAN ISLAMIC CENTER OF WISCONS.

**CASE NO. 3: CHILDREN OF SON(S), NO SONS, NO DAUGHTERS**

Apply Case No.1 and Case No. 2 after substituting daughter(s) of son(s) for daughter(s) and son(s) of son(s) for son(s).

**CASE NO. 4: PARENT(S) AND NO OFFSPRING**

Surviving Heirs Share of the Remainder

4.a) father alone; or father and brother(s) all the remainder to father alone, nothing and/or sister(s) to brother(s) and sister(s)

4.b) father and wife or husband 1/4 to wife, or 1/2 to husband, and the rest to father

Surviving Heirs Share of the Remainder

4.c) father and mother, no brothers, 1/3 to mother, the rest to father no sisters

4.d) (4.c) with husband or wife 1/4 to wife, 1/4 to mother, the rest to 1/2 to husband, 1/6 to mother, the rest father. to father.

4.e) both parents, with brother(s) and/or 1/6 to mother, nothing to brother(s)and sister(s) and with wife or husband sister(s), the rest to father. 1/6 to mother, nothing to brother(s) and sister(s), 1/4 to wife, or 1/2 to husband; the rest to father.

4.f) mother only she takes all the remainder

4.g) mother and husband or wife 1/4 to wife, or 1/2 to husband, and the rest to mother

4.h) mother with one brother or one 1/3 to mother, rest to brother. 2/5 to sister of the same two parents or on mother, the rest to sister. father’s side

4.i) (4.h) with husband or wife 1/3 to mother, 1/2 to husband or 1/4 to wife, the rest to brother. 4/13 to mother. 3/13 to wife, and 6/13 to sister. 2/8 to mother, 3/8 to husband, and 3/8 to sister.

4.j) mother with at least two brothers, 1/6 to mother, the rest to brothers or brother(s) and sister(s) all of same two brother(s) and sister(s) according to parents or on father’s side rules in (1.a).

4.k) (4.j) with husband or wife 1/6 to mother, 1/4 to wife, or 1/2 to husband, the rest to brothers or brother(s) and sister(s) as in rules (1.a)

4.l) mother with two sisters or more, of 1/5 to mother, 4/5 to sisters equally the same two parents or on father’s side between them

4.m) (4.l) with husband or wife 3/13 to wife, 2/13 to mother, 8/13 to sisters equally between them. 3/7 to husband, 1/7 to mother, 3/7 to sisters equally between them Surviving Heirs Share of the Remainder

4.n) mother with one brother on mother’s 2/3 to mother, 1/3 to brother or sister side or one sister on mother’s side

4.o) (4.n) with husband or wife 1/4 to wife, 1/2 to mother, 1/4 to brother or sister. 1/2 to husband, 1/3 to mother, 1/6 to brother or sister.

4.p) mother with more than one brother 1/3 to mother, 2/3 to brother(s) and and/or sister on mother’s side sister(s), equally between them all.

4.q) (4.p) with husband or wife 1/4 to wife, 1/4to mother, 1/2 to brother(s) and sister(s) equally between them all. 1/2 to husband, 1/6 to mother, 1/3 to brother(s) and sister(s) equally between them all.

4.r) mother with father of father, no 1/3 to mother, the rest to father of father brother(s), no sister(s)

4.s) (4.r) with husband or wife 1/3 to mother, 1/4 to wife or1/2 to husband, the rest to grandfather

4.t) mother with son of brother, (the 1/3 to mother, the rest to son of brother, brother is of the same parents)

4.u) mother with children of brother(s), 1/3 to mother, the rest to children of (The brother is of the same parents) brother(s) according to rules in (1.a)

4.v) (4.t) or (4.u) with wife or husband 1/3 to mother, 1/4 to wife, or 1/2 to husband and the rest to son or children of brother(s) as in (4.t) or (4.u)

4.w) mother with brother of father of 1/3 to mother, the rest to brother of father the same two parents

4.x) mother with brother(s) of father and 1/3 to mother, the rest to brother(s) and any number of sisters of father, all of sister(s) of father according to rules in the same two parents (1.a) father the same two parents

4.x) mother with brother(s) of father and 1/3 to mother, the rest to brother(s) and any number of sisters of father, all of sister(s) of father according to rules in the same two parents (1.a)

Surviving Heirs Share of the Remainder

4.y) (4.w) and (4.x) with wife or husband 1/3 to mother, 1/4 to wife, or 1/2 to husband, the rest to brother of father or brother(s) and sister(s) of fathers as in (4.x)

4.z) father with mother of mother and 1/6 to mother of mother, the rest to father no mother

4.aa) mother with brother(s) and father 1/6 to mother, the rest among brother(s) of father and father of father equally, unless grandfather’s share goes below 1/3 (if it does, he gets 1/3 and the rest to brothers equally)

4.bb) mother with father of father and as in (4. aa) and apply rules of (1.a) for brother(s) and any number of sister(s), brother(s) and sister(s) all of the same two parents or on father’s side

NOTE: IF THE TESTATOR’S CASE IS UNDER NO. 4 BUT NOT COVERED ABOVE, THE EXECUTOR

MUST FOLLOW THE ADVICE OF THE AMERICAN ALBAIAN ISLAMIC CENTER OF WISCONS.

**CASE NO. 5: HUSBAND OR WIFE, NO OFFSPRING, NO PARENTS, AND NO FATHER OF FATHER**

Surviving Heirs Share of the Remainder

5.a) wife only 1/4 to wife, the rest to the AMERICAN ALBAIAN ISLAMIC CENTER OF WISCONS to be used as a charitable endowment held in trust whose net return only should be use for AAICW’s activities in WISCONS.

5.b) husband only 1/2 to husband, the rest as in (5.a)

5.c) husband and wife, with one brother 1/2 to husband, or 1/4 to wife, the rest to or more and any number of sisters brother(s) and sister(s) according to rules in (1.a)

Surviving Heirs Share of the Remainder

5.d) husband or wife, with sister(s), 1/2 to husband or 1/4 to wife, the rest to no brothers the sister or equally between sisters

5.e) husband or wife, with son or sons of as in (5.c) but niece(s) and nephew(s) brother(s), or son(s) and any number of replace sister(s) and brother(s) daughters of brother(s)

5.f) husband or wife, with brother(s) 1/2 to husband or 1/4 to wife and the rest of father to uncle or uncles equally between them

5.g) husband, or wife, with one brother 1/2 to husband or 1/4 to wife, rest to of father or more, and any number of uncle(s) and aunt(s) according to the sisters of father rules in (1.a)

NOTE: IF THE TESTATOR’S CASE IS UNDER NO.5 BUT NOT COVERED ABOVE, THE EXECU- TOR

MUST FOLLOW THE ADVICE OF AMERICAN ALBAIAN ISLAMIC CENTER OF WISCONS

**CASE NO. 6: ALL OTHER CASES**

Relatives not mentioned in cases (1) through (5) must be disregarded. However, I directed ordain that all cases not specifically mentioned in this schedule shall be referred to the

American Albanian Islamic Center of Wisconsin (AAICW) 6001 88th Avenue, Kenosha, Wisconsin 53142, United States, for distribution of estate, and that the advice of AAICW must be followed to the letter.

Further, for any interpretation of any of the above cases or articles and provisions of the will,

I ordain that the Executor shall refer to the American Albanian Islamic Center of Wisconsin (AAICW), and must follow the advice given by AAICW.