

The background image shows the interior of a mosque. It features a series of large, light-colored arches supported by columns. The ceiling is decorated with intricate geometric patterns and a large, ornate chandelier hangs from the top. Sunlight streams in through the arches, creating a warm, golden glow. The floor is covered in a patterned tile design.

UNIQUE ESTATE PLANNING NEEDS OF AMERICAN MUSLIMS



SATURNA
TRUST COMPANY



For Muslims residing in the United States, having a written last will and

testament combined with trust documents is the most effective way to ensure that the wishes of the deceased person will be carried out according to *sharia* (Islamic law).

Sharia specifies that proper estate planning is part of one's religious duty. It is therefore incumbent upon a practicing Muslim to have a written last will and testament (*wasiyyah*) to ensure that his or her estate is proportionately distributed in accordance with Islamic laws of inheritance (schedule of *mawarith*).

This is especially important in the US, where each state maintains its own statutes and laws applicable to dying without a will (intestate) and the probate process (validation and administration of a will). Careful estate planning in consultation with legal and financial professionals using *sharia* is permitted under state laws.

A properly drafted last will and testament and the use of trust documents have the following specific advantages for Muslims:

- Ensure division of the estate according to the schedule of *mawarith*
- Avoid the loss of privacy, added expenses, and lengthy processes associated with state and local probate laws
- Assign or transfer portions of the estate for charitable purposes
- Provide clear and explicit instructions for the preparation and handling of the deceased and the associated funeral as dictated in the Holy Quran (if allowed by state law)
- Name the proper Muslim guardians for minors and incapacitated persons
- Satisfy all final debts and expenses of the estate
- Distribute the residue or remainder of the estate to family members and individuals under Islamic laws of inheritance per the schedule of *mawarith*

Should there be a varying interpretation of *sharia*, Saturna Trust will work with your *sharia* adviser to help form an estate plan that is right for you.

Just like individuals, every estate is unique.

Saturna Trust Company specializes in administering custom trust solutions that meet your needs.



Avoiding Probate

Probate and intestate laws in the US entitle spouses to a share different from that which is provided under Islamic law. Properly drafted and executed estate planning documents can help Muslims successfully implement their desires (*sharia*) as permitted under state law so that their estates may be divided according to Islamic principles.

Examples of estate planning tools that can be used to achieve *sharia* compliance are:

- A written last will and testament
- The use of waivers and disclaimers whereby the surviving spouse gives up the legal right to property as prescribed by state statutes
- Powers of attorney for financial matters and health care
- One or more trusts

Estate Tax Planning

Estate planning can also offer significant tax advantages. While taxes cannot be completely eliminated, they may be lowered or mitigated. Tax planning incorporated into trust documents helps to avoid paying unnecessary or excessive taxes by taking advantage of all available deductions and credits.

Trusts are not for everyone. The additional management fees and expenses of a trust increase the cost of administering an estate plan. In many cases, however, these additional costs can be more than offset by the tax savings enjoyed and, more importantly, the peace of mind gained from meeting the obligations of one's religious beliefs.

Getting Started

The first step of any estate plan is to obtain professional legal advice. **Saturna Trust Company** will be happy to recommend to you several unaffiliated Muslim estate planning attorneys who are competent and well-versed in incorporating *sharia* compliance into your estate planning.

Often a financial adviser provides valuable insight and expertise to the estate planning process.

You may also want to consult a *sharia* adviser or seek advice from your local imam.

As trustee, Saturna Trust acts as the liaison and coordinator, managing the interactions between your legal representation, financial adviser, and *sharia* adviser to help ensure they serve you and your estate properly and in accordance with your wishes and *sharia*.

About Saturna Trust Company

Established in 2009, Saturna Trust Company is a wholly-owned subsidiary of Saturna Capital Corporation, a registered investment company in Bellingham, WA. Saturna Capital is internationally recognized for its long-term success in *sharia*-compliant asset management, and best known as adviser to the *sharia*-compliant Amana Mutual Funds Trust, which includes the Amana Income Fund, the Amana Growth Fund, and the Amana Developing World Fund.

Saturna Trust Company offers an impressive variety of flexible, low-cost administration and trust services, specializing in meeting the unique needs of the American Muslim community.

With headquarters in Henderson, Nevada, Saturna Trust is advantageously positioned to benefit from the asset-friendly nature of Nevada's trust laws. However, you do not have to be a resident of the state of Nevada to benefit from an account with Saturna Trust Company. Our priority is to build long-lasting relationships with our clients, and assisting them in providing for their heirs in accordance with their wishes.

With the attainment of citizenship and strategic estate planning, Muslims residing in the US should be able to enjoy the same, or similar, transfer of wealth as they would have had in the Muslim world and to pass on their property in accordance with Islamic laws of inheritance. Saturna Trust's combination of financial and customer service expertise is backed by Saturna Capital's two decades of *sharia*-compliant asset management expertise. Contact us to find out how to make Saturna Trust your invaluable partner in planning for your future.



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