



I.M.A.M.

Imam Mahdi Association of Marjaeya

*Religious Affairs Department*

*Family Affairs Office*

# Islamic Divorce Application and Request Form

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Complete and return to the  
Family Affairs Office of I.M.A.M.

Via email [info@imam-us.org](mailto:info@imam-us.org) or

By mail to: 22000 Garrison St., Dearborn, MI 48124

For more information call +1(313) 562-4626

# Glossary of Legislative Terminology

*(As mentioned in the books of the jurisprudence of the household of the holy Prophet (saw). The jurists may have differences in the details of some rulings, therefore, each person she refer to his jurist of emulation)*

## **Raj'ee (Revocable) Divorce:**

Here, the husband wants the divorce. The husband must have the intention of divorce while stating, "My wife is divorced." He must also name her by name or point her out, if he has more than one wife. The divorced wife is considered to be his wife as long as she is in the 'eddah, the legal waiting period for divorce. The husband can revoke the divorce by stating it, verbally, or through an action that indicates the revocation as long as she is still in the period of the 'eddah. The verdict is that the divorced wife must complete her 'eddah, in her husband's house, and it is not permitted for the husband to remove her from there. In addition, it is not permissible for her to leave the house except with his permission, otherwise she is considered to be disobedient and her right to alimony is revoked.

## **Mubarah (Revocable) Divorce:**

This type of divorce is a result of mutual hatred between the husband and wife, and here the wife must pay for such a divorce. It is forbidden for the husband to return the amount to the divorced wife without the initiation of a new marriage contract, even if she is within her 'eddah.

## **Khulu'ie (Irrevocable) Divorce:**

The wife who hates the husband to a degree that would lead her to disobedience requests this type of divorce. The divorce would be granted by the husband based upon her payment to him and his acceptance of such terms. It is impermissible for the husband to return the money to his divorcee, even if it were during her 'eddah (legal waiting period), without performing a new marriage contract.

## **Juristic Divorce:**

This type of divorce is one in which the legal jurist passes a divorce verdict in favor of the wife who approached him to do so because of the husband's disobedience of the law by not giving her her rights. This type of divorce is irrevocable, meaning that the husband cannot take reclaim his divorced wife within the 'eddah, unless a new marriage contract is initiated.

## **The 'Eddah:**

It is a defined period of time, which is specific to the woman after she is divorced or after the death of her husband. It is not permitted for the divorced woman or the widow to become engaged or married before the completion of her 'eddah. During this period, the divorcee is legally still considered to be the wife of the husband. As for the widow, the waiting period is considered a period of mourning.

## **'Eddah of Divorce:**

That she sees the blood of three menstrual cycles after which her 'eddah will be completed. The 'eddah period starts from the time of the divorce, and not from when she finds out about the divorce.

## **'Eddah of a Pregnant Woman:**

Here, the waiting period ends with her giving birth.

## **'Eddah of A Woman that does not Menstruate (due to illness or other reasons):**

This is three months.

## **'Eddah of a Widow who is not pregnant:**

This is four months and ten days from when she found out about his death not from his actual time of death, even if she were to find out after a very long period of time.

## **'Eddah of a wife who has been granted the divorce of the religious jurist:**

Four months and 10 days.

## **'Eddah of A Menopausal Woman:**

There is no 'eddah in this case.

## **'Eddah of a Wife who has not had intercourse with her husband at all:**

There is no 'eddah in this case.

## Important Notes:

1. No action will be initiated nor any step undertaken without the submission of a fully-completed and signed petition.
2. The petitioner must present a copy of their identification.
3. The petitioner must present documents establishing each previous marriage or divorce.
4. After a thorough study of the case and all documents pertaining to it, a meeting will be scheduled with both parties present in order to be apprised of the details of the case. The first hour of this meeting will be free of charge, any time beyond the first hour will be billed to the petitioner at a rate of \$50.00 U.S. per hour.
5. The Office will bill the petitioner for any additional meetings at the rate of fifty US dollars per hour (U.S. \$50.00/hr).
6. There will be a charge of US \$300.00 for issuing a certificate of Islamic divorce.
7. The petitioner has no right to request the file after it has been submitted, no matter the outcome of the case.
8. This petition and its contents will not be shared with anyone or any party without the explicit consent of the petitioner, except if necessary by the *Sharī'a* or by the law of the land.
9. Payment of fees may be made directly in cash to the Office, by check, bank transfer through a reputable bank, or credit card.

### Payment by Credit Card:

- Check / Money Order. *(Should attached to the application)*
- Credit Card. *(Please fill below details):*

Master Card,                       VISA,                       American Express

Credit Card number: \_\_\_\_\_

Expiry date: \_\_\_\_\_ / \_\_\_\_\_

Name as it appears on the Credit Card: \_\_\_\_\_

Billing Address: \_\_\_\_\_

CVV/CVC Code \_\_\_\_\_ Phone Number: \_\_\_\_\_





**II. Particulars of the person seeking divorce:**

Full Name: \_\_\_\_\_

Father's Name: \_\_\_\_\_

Mother's Name: \_\_\_\_\_

Official mailing Address: \_\_\_\_\_

Telephone No. (Land-line): \_\_\_\_\_

Cell-phone No: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

Country of Citizenship: \_\_\_\_\_

Dual Citizenship (if any): \_\_\_\_\_

Date of marriage: \_\_\_\_\_

Place of marriage: \_\_\_\_\_

How are you currently employed? \_\_\_\_\_

What is your current annual income? (Check one)

Less than adequate ,

Moderate ,

Good ,

Excellent .

Do you have any children with the spouse?

(Check one)

No ,

Yes .

*If you answered yes, please provide the following details. Add additional sheets if necessary.*

[1] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

[2] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

[3] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

If there is more children please list on the back.

**Fill wherever applicable, otherwise mark N/A:**

Were you ever married previously? (Check one) No , Yes .

*If you answered yes, please provide the following details. Add additional sheets if necessary.*

Date of previous marriage: \_\_\_\_\_ Date of previous divorce: \_\_\_\_\_

*If there are any children from the previous marriage, please complete the following:*

[1] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (*circle one*)

[2] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (*circle one*)

[3] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (*circle one*)

Please indicate here if you have been married previously in addition to the above marriage. No , Yes .

Have you ever been divorced from your current spouse? No , Yes .

*If you answered yes, please indicate if this was a 1st, 2nd or 3rd divorce:*

First  Second  Third

*Also please indicate some of the reasons for the 1st divorce as well as how reconciliation and remarriage came about in addition to any agreements which were entered into.*

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

Have you consulted a religious scholar regarding this issue before this petition? No , Yes .

*If you answered yes, please provide the following details:*

Scholar's name: \_\_\_\_\_

Date of Consultation: \_\_\_\_\_ Place of \_\_\_\_\_

What was the result of this consultation?

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

**III. Particulars of the person from whom petitioner wishes to be divorced:**

**The Spouse:**

Full Name: \_\_\_\_\_

Father's Name: \_\_\_\_\_ Mother's Name: \_\_\_\_\_

Official Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No. (Land-line): \_\_\_\_\_ Cell-phone No: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date of birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Country of Citizenship: \_\_\_\_\_ Dual Citizenship (if any): \_\_\_\_\_

Date of marriage: \_\_\_\_\_ Place of marriage: \_\_\_\_\_

What is your current occupation? \_\_\_\_\_

What is the level of your current yearly income? (Check one)

Less than adequate , Moderate , Good , Excellent .

Do you have any children by/with the spouse you wish to divorce? (Check one) No , Yes .

If you answered yes, please provide the following details. Add additional sheets if necessary.

[1] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

[2] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

[3] Child's name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Male / Female (circle one)

If there is more please list on the back.

**Type and amount of the Dowry (Mahr):**

To be provided upfront:

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To be provided at a later date:

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Did the wife work during the entire period of the marriage? (Check one) No , Yes .

If she did work, did she contribute to the household and family expenses? No , Yes .

