

Communication Regarding the Status of Minor Children Amidst Divorce

Subject: Status of minor children amidst divorce

Dear Sir/Madam,

This communication was issued in response to the large number of requests from individuals who have open divorce and custody cases in courts. Because they are bound by the laws of this nation and at the same time are observant Muslims, they come to I.M.A.M. requesting official letters that can provide a better understanding of their specific position. I.M.A.M. is a non-profit religious organization that is authorized and commissioned by the supreme religious authority of Shia Muslims in the world, which has been based in the Seminary of Najaf in Iraq for more than a millennium, to support and serve the Shia Muslim community in North America.

Thus, we would like to inform you that, as a rule, Islam gives custody of minor children to the father while reserving the mother's right to see and stay with them. There are exceptions for children under two years of age who need to be breast-fed and for children under seven years of age if they have a mental and emotional connection to their mother. In these special cases, the mother has custody. However, if the mother marries another person, her right of custody is void completely unless the father agrees to reinstate it.

We hope that all courts increase their awareness of and allow for the intricacies of familial cases relating to Muslim citizens of this nation and appreciate your understanding in these matters.

For more information, please do not hesitate to contact us via any of the communication channels listed below.

Sincerely,

I.M.A.M.