

## FAQ

What services does the Darul Iftaa-CCMT provide?

Darul Iftaa CCMT primarily addresses marital disputes between spouses and works to find Islamic solutions to marital disputes including reconciliation, divorce, and annulment.

My husband is refusing to divorce me. Can the Darul Iftaa CCMT annul my marriage?

Darul Iftaa CCMT primarily attempts reconciliation. If reconciliation is not possible, then the Darul Iftaa explores Islamic avenues for separation (Khula, Talaq). If there is disagreement in regards to separation, the wife may seek annulment and after establishing her claim, have her marriage annulled.

What are the reasons for an annulment?

In Islam, the husband has an obligation to fulfill the rights of his wife. A wife may apply for annulment if the husband fails to fulfill his commitments. The reasons for seeking an annulment include:

- Husband's whereabouts are unknown
- Husband's whereabouts are known, but he lives independently and refuses to live with the wife
- Husband is unable to financially provide for his wife
- Husband refuses provide financially for the wife
- Husband does not fulfill cohabitational rights to the wife
- Husband is castrated or an eunuch
- Husband has erectile dysfunction

- Husband has a severe mental illness (which impairs the marital relationship)
- Husband develops vitiligo, leprosy, or any other disease that disturbs the marital relationship
- Husband is from an incompatible class/background, or deceived the wife into marriage
- Wife reaches the age of maturity during marriage
- Wife has an unmarriageable relationship with the husband (Hurmah Musaharah)
- Wife suffers physical abuse from husband
- There is extreme enmity between the parties

How long does the application process take?

Each case has its own timeline based on the type of application, cooperation of the parties, and resolution goals. However, on average cases are resolved in 3-6 months

Can I get an Islamic Divorce certificate?

Yes, if the husband agrees to sign for an Islamic divorce, we may assist in documenting the process.

Is the Darul Iftaa CCMT a civil body?

The Darul Iftaa only operates as a religious authority and the resolutions of the Darul Iftaa CCMT are not legally binding.

Would I need to obtain a civil divorce if I have a legal marriage?

Yes, either party would still have to file for a civil divorce if not filed already.

Can I file a case with the Darul Iftaa if I already have a civil divorce preceding?

The Darul Iftaa CCMT recommends to file an application with us either before or after any civil separation. Cases may be accepted on a case-by-case basis if there is a civil divorce ongoing.

What about child custody and alimony?

The Darul Iftaa CCMT only addresses matters of marital relations between the spouses. The Darul Iftaa strongly urges both parties to follow Islamic guidance in matters relating to child custody, alimony, and the division of assets after divorce.

How does a party establish their claim?

Any party making a claim will have to provide witness testimony (and/or documentation) to substantiate their claim. If unable to do so, the other party may swear an oath to the truthfulness of their counter claim.

What if the other party doesn't show up or refuses to respond?

The Darul Iftaa-CCMT provides both parties an equal opportunity to state or defend their claims. If a party refuses to cooperate, the case may be decided in the other party's favour.