

Family Law in Dubai for Expats: What You Need to Know Before Filing a Case

Legal issues can be intimidating, particularly to expatriates who are unfamiliar with the UAE legal system, often inducing them to avoid courts and other legal channels for dispute resolution. In this article, we will provide a brief insight into family law in Dubai for the benefit of the expat community.

The UAE Legal Framework

The family law in the United Arab Emirates is encapsulated under three main laws. Federal Decree Law No. 41 of 2024 on the Issuance of Personal Status Law governs Muslims in the UAE, including both citizens and expatriates of the country, across the seven emirates. Federal Decree Law No. 41 of 2022 on the Civil Personal Status governs non-Muslims in the UAE, except in the Emirate of Abu Dhabi. Finally, Abu Dhabi Law No. 14 of 2021 governs non-Muslims within the Emirate of Abu Dhabi.

Federal Decree Law No. 41 of 2024 (Federal Personal Status Law)

The Federal Personal Status Law is a sharia-based law governing Muslims in the UAE. This law came into effect in the year 2025, replacing the older family law under Federal Decree Law no. 28 of 2005. The new Federal Personal Status Law is an exhaustive law and covers marriage, divorce, child custody, child support, spousal maintenance, and inheritance in great detail.

Key aspects of the Federal Personal Status Law

This law allows divorce by both the husband and the wife, as well as divorce on grounds such as abuse, illness, lack of financial support, abandonment, imprisonment and addiction to intoxicants. After divorce, the custody of the children is granted to the mother, making her in charge of day-to-day care and wellbeing of the children, as well as their education. The father is granted guardianship over the children. He is also responsible for providing for the children financially.

Federal Personal Status Law does not provide for spousal support after marriage, or the automatic distribution of assets that were acquired during the course of the marriage. Instead, the law states that the husband is responsible for the financial maintenance of the wife during the course of marriage, regardless of whether she has a personal source of income. After divorce and the expiry of the iddah period, the husband does not have any financial obligations towards the wife. However, if the divorce is the sole decision of the husband, and the wife did not wish for it, the husband is obligated to provide compensation to the wife.

The Federal Personal status law also covers inheritance for Muslims, listing the proportion of the assets to be granted to each family member, upon the death of a person. Although Muslims are allowed to execute a Will, only one-third of the assets will be disposed of as per the will. The remaining two-third will be disposed of as per the inheritance law under the Federal Personal Status Law.

Federal Decree Law No. 41 of 2022 (Federal Civil Personal Status Law)

The Federal Civil Personal Status Law governs non-Muslims in the six emirates of the United Arab Emirates, namely Dubai, Sharjah, Ajman, Umm al Quwain, Fujairah and Ras al Khaimah. This law is based on international best practices related to family law.

The law allows no-fault divorce, without the requirement of mediation with the family guidance department. The law also provides for joint custody of children. Another key difference between this law and the Federal Personal Status Law is that women may be granted maintenance after divorce, depending on the duration of the marriage, age of the wife, financial status of the parties etc.

With regard to inheritance, the law allows for the disposal of property as per a valid will. In the absence of a will, the law contains certain provisions that dictate the distribution of assets to the legal heirs. The laws also provide for the equality between genders in terms of marriage, [child custody](#), witness testimonials, and inheritance.

Abu Dhabi Law No. 14 of 2021 (Abu Dhabi Civil Personal Status Law)

The Abu Dhabi Civil Personal Status Law governs non-Muslims within the emirate of Abu Dhabi. This law is similar to the Federal Civil Personal Status Law and promotes equality between genders with regard to marriage, child custody, witness testimonials, and inheritance. The law also allows no-fault divorce without the requirement of mediation with the family guidance department, joint custody of children, and alimony to the wife.

Conclusion

Family cases such as divorce, child custody and inheritance are often charged with mental trauma and emotional pain. It is for this reason that it is always recommended to hire a [family lawyer in Dubai](#) to handle these issues. **Dubai family lawyers** are experts in the existing laws and can help one navigate the legal landscape and the court structure in the emirate.