

Frequently Asked Questions Regarding Jewish Divorce



BETH DIN of AMERICA

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Frequently Asked Questions

Regarding Jewish divorce and the *get* process at the Beth Din of America.

1. Do I need to provide grounds for divorce? Will the rabbis at the Beth Din ask me personal questions about the marriage?

A standard *get* procedure is non-adversarial and does not involve litigation. There are no grounds needed when there is mutual consent and no personal questions are asked.

2. Does my spouse need to be at the proceeding with me?

No. Typically, both the husband and wife are in the room for the *get* proceeding. However, when desirable because of logistical or emotional reasons, the Beth Din will arrange for the husband to appoint an agent to deliver the *get* to his wife after the husband has left the Beth Din office so that the parties need not appear together.

3. Do I need to come to New York to deliver or receive the get?

No. The Beth Din of America can arrange for a *get* outside of New York. We will either coordinate with a local beth din which will conduct the proceedings, or work with a local rabbi to conduct a proceeding under our auspices.

4. May I bring a friend to the get proceeding?

Yes. Each party may be accompanied by a family member or friend.

5. What information do I need to bring with me for the get proceeding?

You should bring with you: (i) Jewish marriage contract (*Ketubah*) and civil license, if available; (ii) one form of photo identification, i.e., driver's license, passport, etc.; (iii) documentation from previous divorce, if applicable; and (iv) documentation of conversion, if applicable.

6. How do I initiate a get procedure at the Beth Din of America?

If both parties are prepared to come for the *get* proceeding, they should contact the Beth Din to schedule the *get* proceeding. Alternatively, one party may contact the Beth Din. The Beth Din will then contact the other party and request that party to appear for the *get* procedure.

7. What happens if one party refuses to appear at the Beth Din?

The Beth Din will call or send a letter (*hazmana*) via certified and regular mail, asking the reluctant spouse to contact the Beth Din for an appointment within 14 days. Should there be no response, the Beth Din will send a second *hazmana* to the recalcitrant spouse, and if necessary, a third *hazmana* as well. After three summonses have been issued without an appropriate response from the reluctant spouse, the Beth Din will issue a *hasra'as seruv*, a letter warning of the forthcoming issuance of a contempt order. If a satisfactory response is still not received from the spouse, the Beth Din may issue a *seruv* (contempt order) that declares the spouse to be "recalcitrant" and subject to public ostracism and condemnation, calling upon the community to take appropriate action. Notice of this declaration is sent to the spouse with a copy to the recalcitrant spouse.

8. What if one party objects to the giving of the get because he or she believes the marriage can be saved, or because they believe the get should be given at a later time?

In such a case, the Beth Din will convene a *din torah* (Jewish arbitration proceeding) to determine whether and when a *get* should be given. At the *din torah*, each party has the opportunity to present their case, and a panel of three *dayanim* (judges) will issue a decision. If a party refuses to abide by the decision of the Beth Din, the Beth Din may issue a document (*seruv*) as described above.

9. Does the Beth Din of America offer any other services relating to divorce matters?

Yes. In addition to the *get* process, the Beth Din can play an important role in resolving other end-of-marriage issues by arranging for a *din torah* (Jewish arbitration proceeding) to be convened in accordance with the requirements of Jewish law. Such a proceeding complies with *halacha* (Jewish law), and is a time- and cost-efficient alternative to going to court to litigate property division, custody and visitation matters. Cases are staffed by expert *dayanim* (judges) experienced in adjudicating matrimonial cases. The Beth Din of America enjoys a well earned reputation for its high level of professionalism, competence in adjudicating complex matters, and commitment to fairness and due process.

For more information regarding the *get* or *din torah* process, please visit www.bethdin.org or contact the Beth Din.

In addition, you can learn more about the *get* process from our brochure, "Explaining Jewish Divorce," available from the Beth Din.