

If you are Jewish and going through a divorce, in addition to any steps you take to obtain a civil divorce, it is critically important to also arrange for a Jewish divorce, or *get*.

This brochure is designed to help you understand the need for a Jewish divorce and outlines the procedure followed at the Jewish court (Beth Din) in issuing the *get*.

Divorce Under Jewish Law

The family unit is of primary importance in Jewish tradition, and Judaism values greatly the institution of marriage. Nevertheless, the Torah recognizes that for a variety of reasons, marriages sometimes do not work out and need to be ended.

The Torah states that in such event, "*he shall write for her a bill of divorce and place it in her hand.*" (Deuteronomy 24:1)

That bill of divorce is referred to as a *get*.

Why the *Get* Is Important

In order to end a Jewish marriage, Jewish law (*halacha*) requires that the husband give and the wife receive a *get*. Unless one of them is deceased, under Jewish law both husband and wife require a *get* in order to remarry.

In addition, without the *get*, the woman's offspring from any subsequent union may bear the stigma of illegitimacy (*mamzerut*). This stigma remains in place for future generations.

Explaining Jewish Divorce



BETH DIN of AMERICA

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Sponsored by the Union of Orthodox Jewish
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Beth Din of the United States of America.*



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This publication was made possible through a grant from

UJA Federation
of New York

Jewish Divorce at the Beth Din of America

Dignified Proceeding

The Beth Din of America is careful to treat every person with sensitivity and compassion, and tries to make the *get* proceeding as smooth and as comfortable as possible for the parties. We provide a dignified and private environment for the administration of the *get* and scrupulously preserve the privacy of the parties.

The standard *get* process is conducted in English, Hebrew or, if necessary, in the spoken language of the parties. It takes approximately one hour. If English or Hebrew is not the spoken language of both parties, please tell the Beth Din in advance, so that we can make special arrangements to ensure that the rabbis at the *get* procedure speak with the parties in their language.

In addition, if the parties need any other special accommodations, please contact the Beth Din. The Beth Din will attempt to accommodate any such needs.

The *Get* Process

- When a husband and wife arrive at the Beth Din, they are seated in a conference room and are introduced to the officiating rabbi, the scribe, and two witnesses who will sign the *get* and witness the proceedings. The parties are asked to present some form of formal identification, such as a driver's license or passport, in order to identify themselves to the rabbis.
- The officiating rabbi asks the parties some questions regarding which names they commonly use (since the *get* must accurately identify the parties). After that, the husband is asked some standard questions to ascertain that he is willingly participating in the *get* process, and the husband then verbally authorizes the scribe to write the *get* and the witnesses to sign it and witness its delivery. The husband is furnished with a prepared script in English for this purpose.

- The *get* is then written by the scribe using a feather quill. The *get* is 12 lines long and is written in a combination of Hebrew and Aramaic in the same script that we use for the writing of Torah scrolls. Essentially, it is a letter from the husband to the wife that states that she is free to remarry anyone she wishes.
- The two authorized witnesses read the *get* and then sign their names to it.
- The wife is asked some standard questions to confirm that she is willingly accepting the *get*. These questions, too, are furnished with a prepared script in English. The *get* is then folded by the scribe, and the husband holds the *get* over his wife's hands, declares that he is giving it to her for the purpose of divorce, and then places the *get* in his wife's hands in the presence of the witnesses. Once the wife has received the *get*, the couple is considered divorced under Jewish law.
- The *get* itself is cut into by the supervising rabbi and it is retained in the Beth Din files. After the civil divorce is finalized, the Beth Din issues a certificate (the *ptur*) to each party, indicating that a *get* has been given and accepted and that each party is free to remarry.

Fees

A standard *get* costs approximately \$500. Additional fees may apply for special services. The Beth Din will inform the parties of these costs prior to initiating such services.

Fees may be subsidized or waived based on financial need, or other compelling circumstances. The cost of a *get* should not be a factor in deciding whether to arrange a *get*, and **the Beth Din will never decline to arrange a *get* solely because of a party's inability to pay.**

Contested *Get* Cases

The Beth Din specializes in the resolution of *get* cases involving a recalcitrant spouse who refuses or is reluctant to give or receive a *get*. When necessary to solve or avoid an *agunah* situation, we will even travel to people's offices and homes in order to make sure that a *get* is provided.

For more information about contested *get* cases, please contact the Beth Din.

