



# Understanding the Divorce Process In Israel



Divorce law in Israel is a complex process that must be carefully navigated through both civil and religious legal frameworks

In Israel, the divorce process is regulated by civil and religious laws, making it rather unique. This guide will help you familiarize yourself with the divorce process in Israel, focusing on key legal requirements, procedures, considerations, and other relevant information you need to know.



# The Legal Framework

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In Israel, divorce procedures differ for mixed-race, Jewish, and non-Jewish spouses. Jewish law, specifically Halacha, has a significant influence on and regulates Jewish marriages. Rabbinical courts have jurisdiction over marriage and divorce. This suggests that even foreign-married couples need to get a religious divorce in Israel.

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However, non-Jewish and mixed-race couples may find that civil courts or other religious tribunals handle their case.



# Initiating the Divorce Process

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Divorce is the first official stage in the process, although in Israel, there are significantly different grounds for divorce than in other nations. It is strongly recommended that you retain the services of a family law specialist to guarantee that the petition is properly prepared and submitted. Gittin is another term for the divorce paperwork filed by Jewish couples.

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The Ketubah, or marriage contract, and a summary of the grounds for divorce must be submitted by the petitioner, the person starting the divorce. For this reason, you should work with a divorce attorney who is knowledgeable on Israeli family law so they can assist you in properly drafting this.





# Role of Mediation

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Mediation sessions, where spouses are encouraged to reach a mutual agreement on numerous crucial problems, such as child custody, alimony, property distribution, etc., are an inevitable part of the divorce process in Israel. These workshops aim to assist couples in resolving significant issues quickly and affordably. It would take too much time and money for both parties to settle these disputes through legal proceedings.

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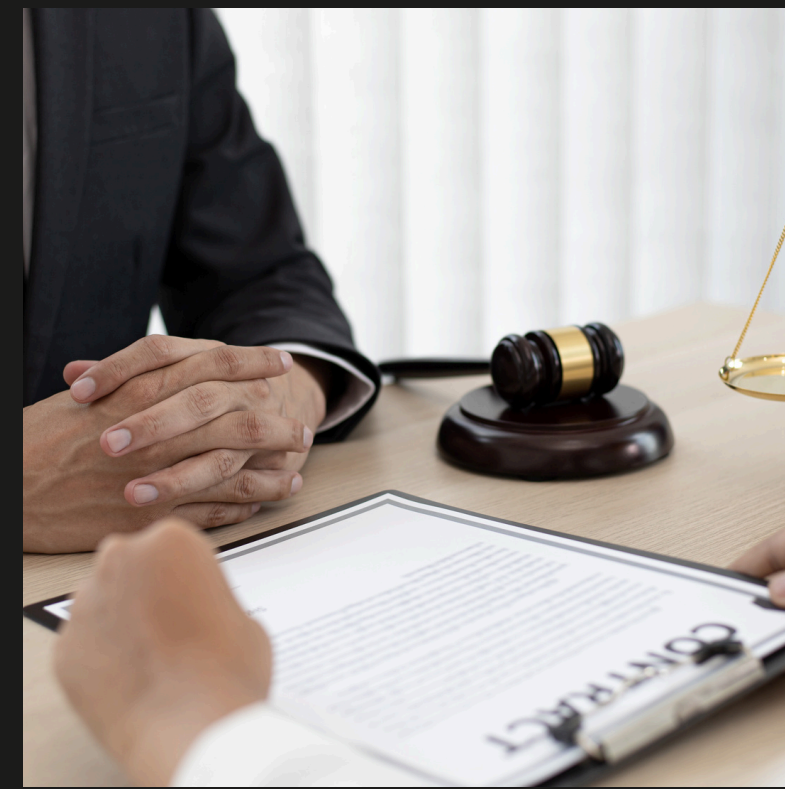
The couple drafts a divorce agreement and submits it to the Rabbinical Court for approval if the mediation sessions are successful. Following approval, the court formally ends the marriage contract by issuing a divorce judgment.

# Court Proceedings

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Should the mediation sessions be fruitless, the matter proceeds straight to the Rabbinical court. After all sides have had an opportunity to submit their cases, the court will decide which of the points the parties couldn't agree on. The court considers both civil law principles and religious law while making decisions, particularly with regard to child support and custody.

When it comes to Jewish divorces, the husband must give the wife a Get, which is a type of religious divorce decree. The woman is not allowed to remarry within the Jewish faith without this certification. This is not required of mixed-race or non-Jewish spouses.



# Child Custody and Support

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In Israel, the phrases "custody" and "guardianship" refer to different things. The children are under the supervision of both parents, a privilege bestowed upon them at birth. Guardianship entails joint parental responsibility for the child's welfare, education, health, and other matters. Conversely, custody relates to the child's living situation and sleeping arrangements.

One parent may be awarded sole custody, or both parents may share joint custody. According to practice, children younger than six are inherently entrusted in the care of their mothers (Tender Years Doctrine). Naturally, every case is assessed independently.





# Division of Property

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Israel's Spouses' Property Relations Law governs the division of property following a divorce. According to this rule, regardless of the name on the title deed, any property acquired during a marriage is subject to an equal divide between the husband and wife. Amounts received as an inheritance or before to marriage are not divided.



# Alimony

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Alimony, often known as spousal support, is one of the main topics discussed during the divorce process. If the ex-wife is unable to sustain herself, the husband might have to pay her. Nonetheless, there has been a shift in recent years toward more equitable financial obligations between partners, indicating that the court now acknowledges that both parties must make contributions toward their financial independence after the divorce.

# Finalizing the Divorce

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Following resolution of all disputes through mediation or decisions made by the court, a final divorce decree will be issued by the Rabbinical Court. The marriage is formally dissolved by this decree. In Jewish marriages, the get is given to the wife by the husband in a ceremonial setting and is then recorded with the Rabbinical Court.






The divorce process in Israel is a multi-faceted journey that requires careful navigation through both religious and civil legal systems. Understanding the steps involved, from filing for divorce to finalizing agreements on child custody and property division, is essential for ensuring a fair and just outcome. By seeking legal advice, considering mediation, and being informed about your rights, you can approach the divorce process with greater confidence and clarity.

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**Thank You**

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