

What is a Jewish Divorce?

According to the Torah (Deuteronomy 24:1) a divorce is effected by the delivery of a Writ of Divorce from the husband into the hands of the wife. This document was considered by the rabbis of the first century (CE) to be a form of deed (Hebrew: GET; plural: Gittin). The form of the GET was codified over the centuries for the purpose of standardizing the process of divorce and moving it away from the total control of the husband into the realm of a court procedure.

The standard GET today is a twelve line document, hand written by the husband or the husband's agent, written purposefully for this husband, this wife, and for the express purpose of effecting a divorce. The manners of writing, witnessing, and delivery are strictly prescribed by Jewish Law.

Since according to Jewish Law a marriage is valid until the death of one of the parties or until there is a Jewish divorce, a GET is necessary to dissolve the marital bonds between two living partners. Neither partner may remarry in the absence of a duly executed GET.

The GET is delivered by the husband into the hands of the wife in a ceremony in the presence of a Bet Din (Rabbinical Court). When this is not feasible, the court may allow the husband, the wife, or both to appoint agents to appear and act on their behalves. This is often done when the husband and wife do not live in the same place. Once delivered, the GET remains in the archives of the Mesadder Gittin, who will issue a certificate of Jewish Divorce (Hebrew: P'tur) to the husband and wife, attesting that they are free to remarry.

Orthodox and Conservative rabbinic organizations have trained and certified some rabbis to act as a Mesadder Gittin, a rabbi trained in the laws and procedures of writing and delivering Gittin. The mesadder gittin can be contacted by either party to the divorce, or, often, by a rabbi who is helping the couple through this process.

Although the participation of both parties to the GET is always desirable, in some cases it is possible to proceed without the participation of either husband or wife. The mesadder gittin will be able to explain the options available in each case. If the wife lives far from the Bet Din, the mesadder gittin can arrange for the GET to be delivered to her through a local rabbi.

The time it takes to prepare and deliver a GET can vary depending on the complexity of the case and the capacity of the Bet Din. It may be done in a matter of a few weeks or can take several months. It is always faster when both husband and wife are prepared to cooperate.

In the Conservative movement, the GET is usually not delivered until the civil divorce procedures are concluded.