



Senate Bill 536 (SB536)
Divorce and Annulment - Removal of Barriers to Remarriage
Senate Judicial Proceedings Committee
February 18, 2020

Thank you for the opportunity to provide written testimony on behalf of the Jewish Community Relations (JCRC) Council of Greater Washington. The JCRC of Greater Washington is the public affairs and community relations arm of over 100 Jewish institutions in suburban Maryland, Northern Virginia and in the District of Columbia, a region with a Jewish population of over 300,000 people.

According to Jewish law, for a Jewish couple to be divorced, the wife must receive a *get*, - a legal document, from her husband.

Jewish women who have not received this document are in Hebrew called *agunot* or chained, because they are still technically married, unable to remarry, and therefore caught in a state of limbo.

Under Jewish law, a civil divorce cannot serve as a substitute for a *get*. Without a *get*, no matter how long the couple is separated, in the eyes of Jewish law the couple is still married.

Under Orthodox approaches to Jewish law, a *get* generally cannot be compelled. While most men do give their wives a *get*, there are some men who refuse, because they are unhappy with the financial or custody arrangements or they are simply operating out of malice. In some cases, men have demanded an outrageous sum of money. Under any of these circumstances, it is abusive behavior that can no longer be tolerated.

Many rabbis today require couples to enter a religiously valid and legally enforceable prenuptial agreement that requires them each to consent to a *get* should they become divorced.

Unfortunately, that approach does not solve the problem for those who marry without such an agreement. Despite many attempts to develop a religiously acceptable, comprehensive solution, Jewish authorities have been unable to do so, and therefore we are seeking a legislative remedy that frees these women, without violating principles of separation of religion and state.

We believe that Senator Cheryl Kagan's bill, based on a longstanding New York law, has identified a legislative remedy in Bill SB536. The bill adopts a simple remedy to a complex problem – it requires a party seeking divorce to attest that he or she has removed all barriers to remarriage by the other party. It is a secular, neutral remedy that will bring meaningful and desperately needed relief to these trapped women.

We applaud Senator Kagan's leadership and urge the committee to pass this legislation.