

Favorable Statement

SB0536/HB833: Divorce and Annulment - Removal of Barriers to Remarriage

Senate Judicial Proceedings Committee

House Judiciary Committee

February 18th, 2020

I submit this testimony in support of SB0535/HB0833 to ensure the religious barriers to remarriage after divorce are eliminated. Jewish law provides for religious divorce or “Get”, but it requires agreement by both parties. Without a Get, it is not possible to remarry with a religious marriage. Withholding a Get is a form of control and for some women, in particular, living as an aguna or “chained” woman without a Get can mean the difference between being able to start anew. In 2018, my husband and I ended a marriage of over 40 years. Making sure that I had a Jewish divorce or “Get” as well as a civil divorce was important to me. Therefore, I worked with my attorney to include the Get in the separation agreement, which my husband and I both signed. It stated that 30 days after the civil divorce was official, we were to have completed all steps involved in finalizing our religious divorce. I did not want there to be any reason for him not to cooperate, so I offered to make all the arrangements and cover any associated costs. I did not anticipate that receiving a Get would be an issue, but I ended up being very wrong.

After our divorce, my husband, who lives out of state, made it apparent that he would make it difficult to fulfil our agreement. I worked with Kayama, a non-profit organization that assists with obtaining a legal Jewish divorce, to help with paperwork and ensure that this was an easy process for him. However, he gave them excuses to delay before completely cutting off contact.

My attorney offered to write letters related to his lack of compliance with the agreement, but we knew that the civil court would not have the authority to intervene or enforce the agreement. I then initiated the process with the Rabbinical Court in his state, but he refused to respond. I had done everything in my power to make giving me the closure I needed as simple and as painless for him as possible. But it wasn’t enough.

In one final act of frustration, I decided to reach out to ORA, Organization for the Resolution of Agunot. I did not want to have to put either of us through any of the public strategies that ORA uses, so I was relieved that before I began work with ORA, something changed and my husband decided to cooperate. I was much more fortunate than some women whose spouses withhold a Get. It took me over a year and a half to finally receive my religious divorce. I don’t know that I will ever want to remarry, but having this religious closure is incredibly important to me. I am not sure if this bill will help every *aguna*, but even if it helps just one woman avoid the pain that I and others experience, I think it is important.

As a proud Marylander, I urge the members of this committee to report favorably on SB536/HB.

Thank you.

Anonymous