

# THE 10 STEPS YOU SHOULD BE TAKING NOW

**IF YOU'RE  
CONSIDERING  
GETTING DIVORCED IN  
THE NEXT YEAR\***

\*to ensure that you get a better  
financial deal

by Jay Hait  
Advocate



Representation with  
Compassion and  
Support

**CONGRATULATIONS ON MAKING THE VERY SMART DECISION TO REQUEST THE REPORT "THE 10 STEPS YOU SHOULD BE TAKING NOW IF YOU ARE CONSIDERING GETTING DIVORCED IN THE NEXT YEAR."**

**IN THIS REPORT YOU'LL DISCOVER THE STEPS THAT YOU SHOULD BE TAKING LONG BEFORE YOU EVER FILE FOR DIVORCE OR FILE A MOTION TO SETTLE DIFFERENCES WITH YOUR SPOUSE (WHETHER IN THE FAMILY OR RABBINIC COURTS) IN ORDER TO ENSURE THAT YOU GET THE BEST FINANCIAL RESULTS THAT YOU ARE LEGALLY ENTITLED TO.**

**Benjamin Franklin said, "By failing to prepare, you are preparing to fail."**

**You surely didn't plan to be where you are today when you were standing with your spouse under that chuppah (wedding canopy). It doesn't matter why you feel the way you do. Whether or not adultery was involved. Or you just don't get along. Or can't agree on how to raise the kids. Whether or not you disagree on major financial issues. On religious issues. Or you simply don't love your spouse anymore. Whether you are experiencing any or all of the above, the fact is that today you are considering divorce. The chances are that had you known where you would be today, either you would never have gotten married or you would have taken steps earlier to prevent your relationship from getting to the situation it is in today.**

**This is why it is important to take the steps, today, to prepare for the possible next step – the dissolution of your marital relationship. This report will help you maximize the financial results of any potential future divorce. It is my sincere hope that you don't get divorced. As a matter of fact, our office policy is that except in certain specific situations (physical abuse, certain addictions, etc.) we don't accept clients who have not at least tried to go for counselling with their spouses. But the bottom line is that if you think you may be getting divorced from your spouse over the next twelve months, you should be taking certain steps today which will prepare you to be in the best position to maximize your financial results of a potential divorce.**

## **SO LET'S GET STARTED...**

Once divorce is mentioned in a marriage, it very often happens that all sorts of documents, once freely available, start to disappear. By taking the following steps prior to divorce being filed or even spoken about, and making a file for each of the categories suggested below, you will have all the documents and evidence to fairly determine the final asset split and any support payments that will have to be decided upon.

**Step #1: Proof of the assets you own.** This list should include both liquid and illiquid assets (i.e. cars, real estate, banking and/or investment accounts, stocks, jewelry, etc.) The best proof is either a deed, photo of the asset or a copy of the account statements. In the case of household items like furniture and lawn equipment, receipts from purchase are best but if not available pictures will suffice. The general rule (and there are exceptions) is that all assets acquired during the course of the marriage are split equally.

**Step #2: Make a spreadsheet or notebook page detailing when all of your assets (from Step #1) were purchased.** Also note, if you can, where the funds to purchase them originated and in whose name they are registered. The date they were purchased may affect the division of the assets. This is especially true in the case of assets that were acquired prior to the marriage and/or by funds belonging to one party only and kept in a separate name. Have this information available to prepare for the best and worst case scenarios if you move towards divorce.

**Step #3: Proof of income for both of you.** This list should include: monthly pay stubs, (Form 106 from the Israel Tax Authority), bank transfers into your accounts, tax receipts if either of you is self-employed. Two things often happen during divorce: 1) The actual money from a spouse's salary deposited in the bank suddenly diminishes; 2) The proof of income may just disappear. Either of these things can affect how child support will ultimately be determined – especially in light of the recent Supreme Court ruling regarding child support in joint custody cases. Don't get caught off guard. Make sure that you have one year's past records available to you.

**Step #4: Collect receipts from all of your monthly housing related expenditures.** You should have receipts for: rent or mortgage, property tax (arnona), electric, water, gas, gardening, recurring repairs, etc. Child support payments in Israel are made up of three components, one of which is called madoor (housing). All of these documents (a year's worth if possible) will go into the calculations of any child support payments.

**Step #5: Detail all of your debts.** This should include both the debts you and your spouse have jointly and the debts that either of you may have under your own names. This can be done either by getting legal documents – like in the case of a mortgage or loans made by family members – or by getting copies of statements for bank loans, etc. (It's helpful to note that if your spouse got a loan from one of their family members and you had no knowledge of it, you may not be liable for it!) The general rule is that debts, like assets, accumulated during the course of the marriage will be split at the end of the marriage.

**Step #6: Collect receipts from all the monthly expenses connected directly to your children.** Gather the school fees, afternoon activities costs, medical and dental costs, clothing, etc. All these documents will be important in determining the final amount of child support awarded. Since men generally pay child support in Israel they vastly underestimate the costs while women tend to exaggerate the numbers. If you have collected these documents, you will know the real numbers and be able to accurately calculate what you will be paying or receiving for child support.

**Step #7: Make a copy of any pre-nuptial agreements.** Prenups are generally binding and applied by courts in Israel. It is important to have your prenup evaluated by a competent family law attorney before you take any legal actions, to determine if all or only certain parts of it are valid, and how it affects your particular situation. The earlier the better.

**Step #8: Detail both of your pensions.** All too often a judge, a mediator or an attorney will push the parties in a divorce to agree to each side keeping their own pension rights, because they are too lazy to do the work collecting that information. This is despite the fact that by law, any pension rights that were accumulated during the course of the marriage are to be split equally at the termination of the marriage. Sometimes these irresponsible actions have led to parties giving up rights worth hundreds of thousands of shekels. Don't let this happen to you.

**Step #9: Get a copy of your katoova (Jewish marriage contract).** Remember that the katoova is a binding document. If your marriage ends, then in certain scenarios the amount of money payable to the wife in the katoova (the deme'i katoova) may become due and payable. Before anybody starts any actions, it is important to know what that amount is. And you will need the katoova for your divorce (GET) in the Rabbinic court.

**Step #10: If your spouse is having an affair, collect proof of infidelity.** Keep emails, whatsapp or sms messages, pictures, recordings, handwritten letters, receipts, anything that proves there has been infidelity. It is true that the Supreme Court has said infidelity is not supposed to affect the division of assets. And it is also true that there are many cases where certain "proofs" aren't allowed to be admitted into evidence. That being said, in the case of a suit over money payable to the wife pursuant to the Jewish marriage contract (GET), it is always relevant. And in many other cases it can affect whether the family court judge or dayanim (religious court judges) issue rulings at the lower or higher end of the scales that they are weighing.

**Congratulations! You have learned the 10 Steps you should be taking NOW if you are considering getting divorced in the next year.**

It's worth noting that the person who files a Motion to Settle Differences first, is the person who gets to decide which court (Family or Rabbinic) hears which issue in divorce litigation (like child custody and division of assets).

[You can learn about the race for jurisdiction in this short video.](#)

Remember that filing a Motion to Settle Differences does not mean you have started a divorce. It is just a preparatory stage required before anybody is legally allowed to file for divorce. However, if you are afraid that your spouse is going to file this motion first, then you should contact an experienced family law attorney right away.

So, if you're thinking of divorcing your spouse in the next year or if you think your spouse may want to initiate divorce against you, prepare yourself by beginning to collect the information above so you can have the best financial outcome after your divorce.

Protect yourself and your family. Take the first step towards planning your future by contacting us at [Hait Family Law](#) for a complimentary case evaluation or to have your questions about divorce answered.

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Hait Family Law has offices in Jerusalem, Tel Aviv, Haifa and Raanana with additional intake offices throughout the country.



I hope you found this report helpful and I look forward to speaking with you!

Jay Hait, Adv.,  
American Israeli Lawyer  
Hait Family Law

#### WARNING AND DISCLAIMER

The goal of this report is to provide general information, and not to render specific legal advice. Please use this book for informational purposes only. For specific advice about your situation you should speak to a qualified divorce attorney.

## WHAT PEOPLE ARE SAYING ABOUT HAIT FAMILY LAW

*Thank you Jay!*

*“My wife and I are in mediation (wife brought on the divorce). Spoke to Jay last week via phone consultation and I couldn’t have asked for a more professional, kind person on the other end. I thought he would sell me to take his services but instead he listened openly and gave me advice that was constructive, helpful and thoughtful of my situation. I was so impressed, I downloaded Jay’s book and read it in 3 days (A MUST READ!) It empowered me to know my rights and helped my wife and I come to a fair and peaceful agreement. I feel we will continue on as life long partners/friends dedicated to our amazing kids. I am really lucky and forever thankful I found Jay when I did. Thank you Jay!” Ryan Lexer*

*An Outstanding Advocate*

*“Jay is a great lawyer and an outstanding advocate for his clients. I felt confident in his hands during a very trying and difficult situation. He provided not only critical legal advice but sage advice that comes from years of experience and successful resolutions dealing with all kinds of people. His patience and persistence helped avoid conflict and digression during a long tumultuous process. With Jay and his staff, we stayed focused and achieved a fair and amicable resolution.” David Sidransky*

*Extremely Helpful and Supportive*

*“Jay was extremely helpful and supportive through the whole difficult and trying time. Even before I hired him as my lawyer, he made himself available for phone conversations and gave me helpful counsel. His support staff, Yafit, was also very professional and supportive. I was very thankful for their help and would recommend them to anyone looking for a family lawyer.” Yosef Yaakov Goldberg*

*Real Professional*

*“I had an initial, 30-minute introductory call with Jay Hait regarding family law. The case is quite complicated and involves US law in two states and the Israeli law. I was more than impressed by a deep knowledge and a clear presentation. Going to contact Jay and recommend his services to others.” Leo Stillman*

*Empowering and Supportive*

*“I highly recommend Jay Hait for any Family Law matter. His dozens of free educational videos and digital and print publications helped me go into my legal challenges with knowledge and confidence. His patient guidance and consistent availability were instrumental in the calm and smooth settling of my case.” Chana Veffer*