



Psak Din (Arbitration Ruling)

IN THE MATTER OF:

Get (Jewish Divorce)

Between:

Mr. Ari (Allan) Satz

V.

Mrs. Chavi (Ava) Satz

Case # 08201/2

Bs"d

Regarding the matter between Mr. Ari Satz (Husband) and Mrs. Chavi Satz (Wife), by which wife is demanding that he divorce her according to the Law of Moses & Israel, and she is an Agunah for close to four and a half years, inasmuch as over the course of those years she summoned him to arbitration [Din] before numerous Rabbinical Courts [Batei Din] and he has been deemed like he is refusing to appear in Din [before them] (see Attachment), or alternatively, to divorce her according to the Law of Moses & Israel, and on the 2nd of Teves 5782, (12/06/2021) our Bais Din declared him like a Sarvan (recalcitrant) to appear in Din.

Therefore in an extreme situation such as ours of Igun [stretching over a period] of many years, and he has already been summoned to Din and a writ of recalcitrance has been issued against him, and he's been summoned by other Batei Din [as well] and he has not responded to them properly, it is possible to judge him [and rule], without him in attendance, as to whether or not he is to be coerced to divorce [her].

In keeping with the above, on May 11th 2022 we held a hearing regarding this case. Inasmuch as Mr. Ari Satz signed an arbitration agreement on May 25th 2021 in which he fully accepted to have a hearing in our Bais Din, and thereby having accepted our Rules and Procedures (section 3 J and section 17 A ,B as found on our website www.hadin.org), allowing Bais Din to arbitrate in his absence.

At the hearing, Chavi Satz put forth her claims to obligate [her] husband to divorce her according to the Law of Moses & Israel, and she also presented several collaborating testimonies regarding her husband's character traits that corroborated and bolstered her words regarding Ari's personality and character traits.

After in depth analysis of the details of the claims and Halachic source material we find as follows:

Ruling [Psak Din]

1. Ari Satz, is a recalcitrant to submit to Din [Sarvan Din] in a most serious manner, as he has been summoned [to Bais Din] over the course of more than four and a half years by several Batei Din, and also the claim in court, which she received permission to submit, has not moved him to come to Din or to respond to the summons of the Batei Din properly.
2. Therefore, Ari Satz has all the Halachos of a recalcitrant [Sarvan] according to Torah law, and as such, anything that is not a criminal offense according to the law of the land, may be done in order to cause him to comply and come to Din, whether by Chavi Satz herself, or by kind individuals willing to volunteer to do kindness to assist her.
3. The husband Ari Satz is obligated to divorce his wife Chavi forthright and immediately, and the Halachah is that he may be coerced to divorce her, subordinate

to and in keeping with the instructions and conditions [set forth] in the [Nimukim], which are an integral part of this Ruling of ours.

4. Notwithstanding the above article 3 and without detracting from its' Halachic validity, it appears that at this point in time and at the [present] stage, insofar as is possible to make do with alternative methods that do not constitute full-fledged coercion, this is much to be preferred, whether due to the issue of coercion [itself], from which the Sages of [past and present] generations have distanced themselves to the nth degree, because of the stringency [of adultery] and the fear of a coerced Get contrary to the dictates of Halachah, and whether due to the fact that the arbitration was conducted without [the husband] in attendance – all as set forth in the above mentioned Nimukim.
5. Therefore, insofar as the husband continues with his recalcitrance, it is proper to publicize that in Bais Din's opinion, it is a Mitzvah to distance and separate from him, and from those who support him, in every possible manner of distancing, along the lines set forth in Shulchan Aruch Even HaEzer 154:21 in the addendum [of Rema].
6. If the above publicizing does not achieve the [desired] effect, it is proper to demonstrate against him, and against those who support him, and to further publicize his/their scandalous behavior, be it via street placards, and/or the media, and/or social media and/or platforms of all form and sort, and/or any other medium.
7. It is a Mitzvah incumbent upon each and every person to assist with the above; to recognize that holding back a Get in this manner is a form of coercive control, which is a form of abuse. Understanding that this woman needs a Get to move on, it is a kindness of the highest order to do anything and everything in one's power to allow Mrs. Chavi Satz to receive her Get. Whoever prevents or dissuades others from acting on this, is giving hand to iniquity and wickedness, and all the more so to the extreme regarding one who helps Ari Satz in a proactive manner, be it privately or publicly – and even if he is a relative, for it is obvious that the concept of "and from your flesh-and-blood you shall not turn away" is inapplicable in a situation such as this.
8. Should fourteen days pass, and all of the above, articles 5-7, prove ineffective in releasing Chavi Satz from the bonds of her Igun, Bais Din will delineate further steps to take, with a detailed plan of action, including monetary compensation for controlling her, imposing unreasonable demands, harassing and holding her back from getting married, which can equal a sum of no less than \$150/day.
9. Regarding claims in secular court. Since the husband was already summoned several times by various Batei Din, and Chavi Satz received permission to use the secular court system, generally speaking she is permitted to claim [in court] whatever is coming to her and to the children according to Halachah. Insofar as the husband gives a Get so as to exempt himself from these just claims and their consequences, the Get

is clearly and unequivocally valid, even before the fact [l'chatchila] – and this holds true even if the husband is not among those whom it is permitted to coerce to divorce.

10. And to add to the above, not only is she "permitted to claim [in court] whatever is coming to her and to the children according to Halachah", but even more so, one is not to interfere with her suing him in secular court for anything she believes she is entitled to, and no Bais Din, Rabbi or any other individual, may intervene on his behalf regarding her claims in secular court, until Ari Satz submits to the jurisdiction of Bais Din or divorces her according to the Law of Moses & Israel, at which time, if he has any monetary claims [against her], or she and the children [have] against him, they will be obliged to adjudicate [the issues] before a Bais Din that judges and rules according to Halachah.
11. Attached to this Ruling are the Nimukim of the Bais Din, which as noted are an integral part of this Ruling.

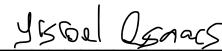
We have affixed our signature on this 7th day of Tammuz 5782 (07/06/2022)



Rabbi Dovid Bartfeld
Dayan - Vaad Hadin



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