THE EUROPEAN BET DIN

for the Progressive Communities in the Former Soviet Union
and other countries in Eastern and Central Europe

in co-operation with the

PROCEDURES AND PRACTICES

concerning
Conversion, Matrimonial and Adoption cases

February 1995
Revised
A. STATUS AND OPERATION OF THE EUROPEAN BET DIN

1. The process which resulted in the establishment of the Bet Din for European Progressive communities (hereinafter known as the European Bet Din) began at the Conference of the World Union for Progressive Judaism, European Region, in Zurich, Switzerland in 1993. Following a meeting in London in November 1993, the Executive of the European Region Board agreed that such a Bet Din would come under its aegis. In a subsequent meeting in London in October 1994 it was decided that the European Bet Din would co-operate with the office of the European Region Board in London with regard to the Progressive communities in Eastern and Central Europe, and with the office of the World Union in Jerusalem with regard to the Progressive communities in the Former Soviet Union.

2. The European Bet Din is an instrument of the Progressive rabbinic organisations of countries of Europe and in Israel. It is intended to be a means of co-operation on an international as well as on a local basis in meeting the requests for support to re-establish Jewish communities in the former Soviet Union and the Eastern and Central European countries formerly under Soviet control. In that regard this Bet Din will act as a central point of registration for seeking to convert to Judaism or confirm their status as Jews, and to authorise and record marriages and divorces in countries where there is no established Progressive community to handle applications from other European countries where there is no Progressive Movement or rabbinic body. The European Bet Din's rules governing the acceptance or granting of Jewish status and other matters of status as noted below, shall be applicable only to former Soviet Union and in countries and areas where there is no rabbinic body attached to a movement or affiliated with the World Union. These rules do not necessarily apply in the same way in the countries of the affiliated bodies.

3. The Executive-Committee of the European Bet Din shall consist of the heads or appointed representatives of the Batei Din of MARAM and the rabbinic bodies of the Euro-Asian countries affiliated with the World Union. Membership shall be restricted to two men from each constituent country. In addition, the European Region Board and the Jerusalem office of the World Union will be entitled to ex officio representation and will accordingly receive all minutes and discussion documents. The Chairmanship of the European Bet Din shall be held on a rotating basis for a minimum of two calendar years.

4. The Executive Committee of the European Bet Din shall be the rabbinic body which, working as a standing committee, shall be consulted in matters related to halakhic or rabbinic questions. It shall meet regularly but at least once a year (preferably in association with the European Region Conference) and shall deal with problems and situations of general principle that are not covered by the Procedures contained in this document. Areas of specific concern will be met as they arise by means of telephone, fax, E-mail and conventional mail.

5. The day to day running of the European Bet Din, including the office and the administration of the supervision of the conversion process and the convening of Bet Din sessions and meetings, will be done by the Convenor of the Court of the RSGB acting as the Registrar of the European Bet Din in co-operation with the appropriate World Union offices as specified above.

6. The files kept by the Bet Din are confidential. Access to each file is restricted to the Registrar, the Secretary to the Court, the Sponsoring Rabbi, the members of the Bet Din. 
panel and the members of the Executive Committee of the European Bet Din who are directly concerned with the case.

7. In this report the masculine includes the feminine except as the sense requires.

8. The European Bet Din, in consultation with the Jerusalem World Union office, shall select a pool of rabbis who are authorised to act as Av Bet Din. Other rabbis, who have indicated acceptance of the Procedures and Practices as laid down in this document, may be authorised by the European Bet Din to constitute the other two members of a Bet Din panel. Rabbis who will be selected for the rabbinic pool to act as Av Bet Din must have special qualifications appropriate to deal with the many sensitive and difficult issues involved in questions of status and conversion in the FSU and other Eastern and Central European countries.

These requirements apply in equal measure to rabbis who will be authorised to interview candidates for conversion and for other matters as detailed below. Any rabbi who is a member of any of the constituent rabbinic bodies can in principle act as a sponsoring rabbi. It is desirable that he has an ongoing and extensive relationship with the community in the life of which the applicant concerned participates.

9. Where necessary, rabbis lacking experience but wishing to participate in the work of the European Bet Din countries will be encouraged to undertake a training programme involving study and rabbinic court experience, and will receive a thorough briefing on the special conditions prevailing in specific countries so as to enable them to participate effectively in the procedures of the European Bet Din.

In principle a Bet Din panel shall comprise three rabbis. Where it is not possible to convene a Bet Din with three rabbis, a Bet Din can be convened even by one rabbi authorised to serve as Av Bet Din with the sponsoring rabbi and such laymen as are considered trustworthy by the European Bet Din and the appropriate World Union offices.

10. The rabbis who participate in this work should travel and do their work for the European Bet Din in conjunction with other work for the World Union and the Progressive Movement in the FSU and other countries.

11. A Bet Din panel shall be convened at intervals and in places to be fixed according to need. The Registrar of the European Bet Din in London will consult with the appropriate World Union office in order to select a panel to constitute the Bet Din.

B. CONVERSION PROCEDURES

12. To become a candidate for conversion or confirmation of Jewish status, a person must first express an interest to that effect to either the chairperson of a local WUPJ congregation, a visiting rabbi or, in the FSU, directly to the WUPJ Moscow office.

13. The inquiry is passed on to the Registrar of the European Bet Din in London. Together with the appropriate World Union office, he appoints a rabbi from the rabbinic pool to conduct the first interview. The questionnaire, without which registration may not be made, is to be completed in the presence of this interviewing rabbi so that all the details are understood and the commencement of the process.
The form is returned to the London office. For FSU candidates a copy is filed with the Moscow office and the Jerusalem office. An appropriate registration fee is to be paid at the time of the submission of the application form.

14. The rabbi conducting the interview will try to ascertain that:
   - The motives for the application are sincere and well founded;
   - The applicant is aware of the importance and seriousness of the intended step, and the European Bet Din’s requirements for Jewish living, study, tevillah and milah together with the existence and difference of the various religious sections within the world Jewish community, especially Orthodox and Progressive.

15. After receiving the application form the Registrar will check that the case is in order. Upon receiving the recommendation of the interviewing rabbi the Registrar, in conjunction with the appropriate World Union office, will appoint a sponsoring rabbi. Cases which originate through the Registrar are likewise referred by him to an appropriate member rabbi for sponsorship.

16. The application for conversion is further dealt with by the sponsoring rabbi in concert with the congregation/community centre in whose district the applicant lives or works. The applicant must become an active member of an existing WUPJ congregation in the country concerned and demonstrate involvement in Jewish life and observance of the mitzvot as interpreted by Progressive Judaism.

In special circumstances an applicant may apply to another synagogue/centre subject to consultation with the Registrar and the sponsoring rabbis/community leaders concerned.

17. In the case of an applicant who comes from a province or country where there is no Progressive synagogue, or from countries which are not served by Progressive authorities, the Registrar ascertains whether the Jewish authorities in his home town are able to help, and what provisions can be made for his religious needs.

18. The Registrar and the sponsoring rabbi conduct an investigation with reference to such items as the status and character of the applicant:
   - That he is eligible for marriage;
   - That he wishes his children and/or his children of a previous marriage who are in his care and custody to be accepted as Jewish with him;
   - That the applicant, if he is not of age, produces the consent of his parents to conversion;
   - That the Jewish partner or prospective partner is a member, or has applied to become a member, of a Progressive synagogue or Jewish communal institution;
   - That the Jewish partner, if his previous marriage was dissolved, has met the requirements of Section F.

19. When the Registrar and the sponsoring rabbi decide to accept the applicant formally as a candidate for proselytization, the European Bet Din will confirm the status of ‘official candidate for conversion’. Thence the case ceases to be a mere enquiry.

The sponsoring rabbi will arrange for a syllabus and reading list for the candidate, indicate how the required tuition will be undertaken and notify the Registrar. He will keep the Registrar of the European Bet Din informed as to the progress of every application.

20. The period of tuition is not less than twelve months and may be longer. Discretion exists to reduce the period, for example when the candidate, although converting, has been brought
up as a Jew and only known himself or herself as Jewish.

21. Emphasis is laid on the practical experience gained by regular attendance at synagogue services, study groups and community activities and by participation in home celebrations. This applies both to the applicant and the Jewish partner, if any. When there is a recalcitrant or unco-operative Jewish partner, the Executive Committee of the European Bet Din may deem it appropriate that the sponsoring rabbi be given the discretion to proceed.

22. The candidate is expected to adapt his way of life to a Jewish religious pattern with the aim of becoming an accepted member of his Jewish environment, and to become a worthy member of the Jewish community, and of the Progressive community in particular.

23. In the case of a male convert milah is an absolute requirement. The Bet Din has the right, after having received written medical advice, to postpone it or to exempt proselytes completely from the mitzvah of circumcision if it fears that any lasting physical or psychological ill-effect might ensue from such an operation. The medical advice should come from a Jewish, and Jewishly committed doctor.

24. In the case of male and female converts, tevillah is a requirement. In special circumstances, eg the tevillah of babies, elderly people, pregnant women, etc, the form of tevillah is decided by the Bet Din panel. The sponsoring rabbi will ensure that the requirement has been met.

25. At the conclusion of the period of preparation and after the final interview, the sponsoring rabbi advises the Registrar of the European Bet Din that he considers the candidate qualified to be heard before the Bet Din. Provided the case is in order and all relevant documents have been received, the Registrar arranges for a Bet Din panel to be held at which the case can be heard, as specified in Section A above.

The Bet Din will test the candidate, not only for his/her knowledge and practice, but for the sincerity of commitment as well.

26. A conversion candidate will receive a thorough explanation by the Bet Din prior to the final conversion ceremony concerning the ramifications of a Progressive movement.

A declaration regarding the candidate's understanding of the status of his conversion will be signed by the candidate prior to the completion of the conversion.

27. After milah, tevillah, a successful hearing before the Bet Din and kabbalat ol mitzvot, the candidate receives a certificate of conversion issued by the European Bet Din and signed by members of the Bet Din panel.

28. A certificate confirming Jewish status can be issued where a parent is Jewish and the applicant has had a Jewish upbringing or education, or only known himself as Jewish.

29. All certificates are those authorised by the European Bet Din, issued in Hebrew and in the language of the country concerned.

30. After acceptance by the Bet Din, a private service of admission is held. A married proselyte is recommended to have a religious marriage ceremony.
C. ACCEPTANCE OF MINORS
Acceptance of a minor when the mother is an intending proselyte:
31. The minor should be accepted together with the mother.
32. The parents will sign a declaration of covenant, witnessed by the sponsoring rabbi, in which they give an undertaking that they will bring up the child in the Jewish faith. The declaration is retained by the Registrar.
33. An appropriate certificate of acceptance will be issued by the European Bet Din.
34. Where possible, a minor will be named and blessed in the synagogue.
35. Milah and tevillah are absolute requirements as above. An affirmation just prior to bar/bat mitzvah is required to confirm the action of the parents on behalf of the child.
Acceptance of a minor whose mother does not apply for admission to Judaism:
36. All such cases are to be considered on an individual basis as they involve the confirmation of a 'mixed faith' household.
37. Nevertheless the minor may be given a Jewish education at the discretion of the rabbi concerned on the application of both parents, foster parents or guardians provided this is in accord with civil law. He must satisfy himself that the applicants genuinely intend and are able to bring up the child in the Jewish faith and that the child is in a Jewish environment where there is sufficient training in the Jewish faith.
38. The applicants will in all cases sign an undertaking to bring up the child in the Jewish faith. In special circumstances, and if the undertaking by the mother has been preceded by a course of no less duration than that required by a proselyte, the Bet Din may accept the child as Jewish at any stage after the requirements of tevillah and milah have been met and if they are satisfied that the mother has both the will and the knowledge to assist in the maintenance of a Jewish household. The affirmation noted in 35. is also required in these circumstances.
39. If the mother has not undergone a course of study, and where special circumstances do not apply, an appropriate certificate of acceptance into the Jewish faith may be issued by the European Bet Din when the child reaches the age of legal majority in the country concerned, without examination providing the undertakings have been kept.
40. Bar/batmitzvah ceremonies should take place after the certificate of acceptance has been issued by the European Bet Din.

D. ADOPTION
41. The adoption of the minor is registered and the minor accepted on the application of both adoptive parents who must be Jewish. The Registrar will require the recommendation of the sponsoring rabbi which must be in sufficient detail to enable the European Bet Din panel to satisfy itself that the applicants intend and are able to bring up the child in the Jewish faith. The applicants sign a declaration that they will do so and this is retained by the Registrar together with copies of relevant birth certificates and adoption orders.
42. In all cases milah and tevillah are absolute requirements unless certified as inadvisable on medical advice. The medical advice should come from a Jewish, and Jewishly committed,
doctor. The affirmation noted in 35. is also required in these circumstances.

43. The European Bet Din accepts the written official testimony of a responsible body as to the Jewish status of the natural mother. In such cases an appropriate certificate is issued which registers the adoption and confirms the Jewish status of the minor.

44. Where the natural mother is not shown to be Jewish, a certificate is issued which registers the adoption and accepts the minor into the Jewish community.

45. The adoption procedure is usual for minors but not for adults (above the age of legal majority in the country concerned).

46. A declaration of covenant signed by the adopters and witnessed by the sponsoring rabbi, in which they give an undertaking to bring up the child in the Jewish faith, will be retained by the Registrar.

E. MARRIAGE
47. The European Bet Din follows the traditional marriage laws with the following major exceptions:
   (a) We disregard chalitzah;
   (b) We disregard the prohibitions concerning a Cohen;
   (c) We disregard the prohibitions concerning a mamzer.

48. We accept the civil laws governing the solemnization and dissolution of marriages: would not accept a marriage without a civil marriage certificate, and we would not religiously dissolve a marriage without the civil decree absolute of divorce or annulment. In cases of doubt, the sponsoring rabbi must determine whether the civil divorce would be acceptable to the civil authorities of the country concerned.

49. While we would not regard a couple married in a civil ceremony as living out of wedlock nor their offspring as illegitimate, we expect in all cases where Jews are able to be married in a Jewish religious ceremony that they do so. We are ready to supplement a previous civil marriage with a religious ceremony providing that there are no impediments according to halakhic requirements.

50. When there is a clash between civil marriage laws and Jewish ones (as in the case of mixed marriages) we accept the fact that the couple is civilly married but we do not regard their marriage as valid according to Jewish religious law.

F. DIVORCE
51. We regard the marriage as effectively ended when a civil authority has issued a decree absolute of divorce or annulment. In addition we recognise a religious dissolution by get, and would insist on it, or another appropriate document, before we would authorise either party to re-marry in a Jewish religious ceremony.

52. We recognise the get issued by any established Bet Din. In cases of doubt, the Registrar, the sponsoring rabbi, or the Bet Din may refer the matter to the European Bet Din for arbitration.

53. Where a get has not been previously obtained, the dissolution of the marriage is effected by:
(a) A form of the traditional get when the consent of both parties has been obtained, or when the consent has been withheld by one party and the European Bet Din has exercised its discretion in favour of the other party.

(b) A decision of our European Bet Din issuing an appropriate document which replaces the get when:
   (i) The whereabouts of the husband cannot be traced;
   (ii) The former husband is unable to plead;
   (iii) The former husband is presumed to be dead;
   (iv) Either party refuses to co-operate.

54. If the former spouse contests the competence of our Bet Din by declaring that he or she is Orthodox, we adjourn our proceedings and advise the petitioner to obtain a get from an Orthodox Bet Din. Should the respondent refuse to co-operate with the Orthodox authorities, we proceed in the matter. Should one of the former partners indicate that they are seeking a get under the auspices of an Orthodox Bet Din, no further action will be taken by this Bet Din unless it becomes apparent that this is only a "delaying tactic". If the other partner should then seek to proceed with the original application, no documentation will be issued by this Bet Din without a formal declaration from the applicant indicating a willingness to co-operate unreservedly in the giving and receiving of an Orthodox get should that process be resumed subsequent to the completion of our procedures.

55. The Registrar makes at least three attempts to trace the missing former spouse. The Registrar and the sponsoring rabbi try to obtain consent from both parties in accordance with Jewish tradition and, where possible, to reconcile outstanding quarrels or resolve problems.

56. When such consents are given, agents are appointed by the parties for the handing and delivery of the get. In this way the parties need not meet nor appear in person before the European Bet Din.

57. Both parties are invited to state their objections to the Bet Din should they so wish.

58. Gitin and Documents authorized by the European Bet Din are executed by a sofer appointed by the Registrar. The former are witnessed by two laymen, and the latter are signed by the members of an authorizing Bet Din. The Gitin and the Documents are retained by the Bet Din but certificates are issued to the parties who have accepted the Bet Din's jurisdiction.

G. REMARRIAGE

59. We follow the traditional regulations with the following exceptions:
   (a) The delaying period of 91 days before re-marriage is waived;
   (b) A religious ceremony to a couple who obtained a get after their remarriage by a registrar is permitted;
   (c) Matters of divorce are in the competence of the Bet Din but matters of remarriage remain in the competence of the sponsoring rabbi concerned unless conversion is involved;
   (d) Arrangements for remarriage should not be made until a get or document has been authorized by the European Bet Din and duly executed.