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Family Mediation and Poverty Law

Divorce is a complex procedure in family life, both emotionally and financially. This is evident from various studies that have shown that the standard of living after divorce decreases in both parental homes. However, the difficulty of dividing the family unit into two separate entities is especially challenging for low-income couples. Financial distress intensifies the conflict and raises obstacles to its resolution. Therefore, assisting disadvantaged populations in separation and divorce procedures becomes particularly important and challenging. In response to this challenge, in 2018 the Legal Aid department and the Family Court Social Services established the “welfare-based family mediation” pilot program, which provides low-income families with a dual goal service: divorce mediation and realization of their social rights. The article addresses the intersection of families with law, poverty and the challenges that arise when indigent families separate or divorce.

Further, this article presents the rationale and initial results of this program, analyzing the results through the lenses of theoretical, institutional and economic perspectives.