Amihai Radzyner 'Kim Li' Claim in Get Procedures

This article examines the use of the 'Kim Li' claim in divorce procedures. In particular, the article discusses the concept that the 'Kim Li' claim can prevent forcing a divorce on a recalcitrant husband in a case where most opinions in halakhah believe that a *get* should be forced.

This concept is mainly based on a responsum of Hatam Sofer (R. Moshe Sofer). It is easy to understand the many difficulties it creates for *dayyanim* who need to compel *gittin* in hard cases. The article deals with the logic behind this concept, as well as the difficulties it raises. In particular, the positions of *dayyanim* in the rabbinical courts of the State of Israel are examined. The article also examines the concept against the background of the "regular" 'Kim Li' claim in monetary cases, and through the research of Prof. Hanina Ben-Menahem on the subject.