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אלול תשפ"ו



Does the **FRUIT** fall far from the **TREE**?

by Rabbi Dovid Cohen

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BASICS

In *Eretz Yisroel* there are many limitations on which vegetables and grains may be planted near one another,¹ but for those of us living in *chutz la'aretz* there are very few restrictions.² One is that (*mid'rabannan*) one may not plant the seeds of grapes together with two grains or two vegetables simultaneously.³ The other is that (*mid'oraisah*) one may not graft a branch from one "מין" to a tree from a different "מין".⁴

The word "מין" is roughly translated as "species," but in truth there are many fine details involved in determining which trees are in the same מין and which are not.⁵ For example, *Rambam*⁶ says that the decision depends on physical features including leaf-shape, and the appearance and nutritional value of the fruit. Additionally, if the same tree produces different fruit depending on the location of where it is planted, those fruits are considered one מין.

Due to the ambiguity of this issue, *Rema*⁷ cautions that one should be overly cautious and assume "any" mixture of fruits is *kilayim*. Nonetheless, *Chazon Ish*⁸ says that to a certain extent we can rely on our judgement to know which fruits are considered one מין and which are not.

If a tree was grafted in a manner that creates *kilayim*, fruit that grows on the tree is permitted, but a Jew is forbidden from keeping that tree.⁹ [We will see below that this appears to be most relevant for stone fruit, where a high percentage of them are grafted onto peach (or almond) and are *kilayim*]. Most *poskim* take this halacha

(continued on page 2)

1. See *Shulchan Aruch* 296 and 297. 2. *Shulchan Aruch* 296:69. 3. *Shulchan Aruch* 296:69. Even this is only *assur mid'rabannan* (in *chutz la'aretz*) (*Shulchan Aruch* 296:1). [There is no prohibition against planting seeds from trees together with grains or vegetables (*Shulchan Aruch* 295:3)]. 4. *Shulchan Aruch* 295:1. 5. See *Shulchan Aruch* 295:6 (and see also 297:14-15). 6. *Rambam*, *Hil. Kilayim* 3:1-6 as per *Chazon Ish*, *Kilayim* 3:1 (who also notes that there is an element of *רוח הקודש* (!) involved in these decisions). 6. *Rambam* (*Hil. Kilayim* 3:1-6) as per *Chazon Ish* (*Kilayim* 3:1). 7. *Rema* 295:6. 8. *Chazon Ish*, *Hil. Kilayim* 3:6. 9. *Shulchan Aruch* 295:7. 10. Most prominently, *Chasam Sofer* YD 2:288, cited in *Pischei Teshuvah* 295:4, but see *Chazon Ish*, *Hil. Kilayim* 2:9 & 11 who argues. See also *Aruch HaShulchan* YD 295:16-18 and *Shevet Halevi* 7:185 (and 2:167). See *Chazon Ish* (*Hil. Kilayim* 3:9) and others cited in *Derech Emunah*, *Hil. Kilayim* 1:41, regarding a situation where a person cannot determine if their tree is *kilayim*.

When Beth Din Calls

A GUIDE TO THE HAZMANA PROCESS

by Rabbi Aaron Kraft

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The Beth Din serves as a communal resource to assist in dispute resolution between two Jews according to the halachic guidelines of the Torah. In addition to being the most halachically preferable method of conflict management, it is often more economical and efficient than the alternative of civil court proceedings. However, for some, the process of initiating an action in Beth Din is unfamiliar and perhaps even overwhelming. The purpose of this article is to demystify the process of filing a petition, summoning the opposing party, and submitting to the jurisdiction of a Beth Din.

Filing a Petition and Summoning the Opposing Party

When a claimant feels he or she has an issue in need of reconciliation, they should first approach the opposing party in an effort to resolve the matter amicably. Sometimes the parties will themselves decide to enlist the Beth Din by filing a claim and signing a *shtar berurin* (arbitration agreement) submitting to the jurisdiction of the Beth Din. If reconciliation fails or one party refuses to engage in the matter, the claimant can open a case with the Beth Din by filling out the online application to file a claim on the cRc website.¹

(continued on page 5)

1. The exact process may vary depending on the Beth Din, but the link to open a claim at the cRc can be found at: <https://crcbethdin.org/din-torah/din-torah-forms/>.



Does the FRUIT fall far from the TREE?

(continued from cover)

at face value, but several *Acharonim* seek justifications for the common practice to retain such trees if they had been planted by a non-Jew before he sold the field or land to a Jew.¹⁰ A person faced with this issue should discuss it with their local Rav.

שהחיינו

מורכב

If there is a fruit which is only available seasonally, there is joy in eating that fruit the first time each year, and when you do so you recite *shehechyanu*.¹¹ *Halachos Ketanos*¹² suggests that it might be inappropriate to recite *shehechyanu* if the new fruit was a result of a forbidden form of *kilayim* since it seems incongruous to celebrate something which *Hashem* did not want to happen.

*Mishnah Berurah*¹³ records this ruling, and also notes that *Sheilas Ya'avetz*¹⁴ argues that *shehechyanu* is a *bracha* on the joy one has, and since the person does enjoy the new fruit (and is permitted to eat it) he has no choice other than to recite the *bracha*. *Mishnah Berurah* does not give a clear ruling on the matter, but *Iggeros Moshe* and *Minchas Yitzchok*¹⁵ say that one should preferably avoid reciting *shehechyanu* on this type of fruit.

What is somewhat unclear is exactly which types of fruit these *poskim* are referring to. Is the concern that someone violated halacha to create this fruit? If that

was true, then – as *Minchas Yitzchok* points out – it should not be a concern when a non-Jew grew the fruit, since creating *kilayim* is not forbidden for non-Jews. Thus, it appears that the concern is not whether there was technical violation of halacha, but if creating this fruit involved something that we know *Hashem* disapproves of. How about if a fruit was created as *kilayim* and then someone planted the seed from that fruit and it grew into a new tree? No *kilayim* was done to this second tree, but this fruit only exists because of the *kilayim* of the first tree. Rav Shlomo Zalman Auerbach is quoted¹⁶ as saying that in this case all agree that *shehechyanu* can be recited on the fruit.

Let us go one step further. The cases in *Iggeros Moshe* and *Minchas Yitzchok* were of fruit that (they believed)¹⁷ does not exist “naturally” and could only be created through *kilayim*. A modern example of that would be an “Aprium” which is created by crossing an apricot with a plum, to create a new type of fruit.¹⁸ What if instead, a regular fruit was grown through *kilayim*? For example, a peach and almond tree were grafted and what grew was a regular peach. *Hashem* disapproves of the way this peach was created, but peaches per se are not inherently fruits that *Hashem* “disapproves” of. Would one recite *shehechyanu* when eating them? Seemingly, *Halachos Ketanos* would say that *shehechyanu* should not be recited since this fruit was made “against *Hashem*’s desire,” and

11. *Shulchan Aruch* OC 225:3. 12. *Responso Halachos Ketanos* 1:60 (and see also 1:265), cited in *Be'er Haitev* OC 225:7. 13. *Biur Halacha* 225:3 s.v. *pri*. 14. *Sheilas Ya'avetz* 1:63. 15. *Iggeros Moshe* OC 2:58 and *Minchas Yitzchok* 3:25. 16. *Halichos Shlomo* (Tefillah) 23:18. 17. Both *teshuvos* are based on the common misconception that nectarines are a crossbreed between peaches and plums. In fact, scientists believe that nectarines are a natural mutation of peaches. 18. The genus “*Prunus*” refers to what is colloquially known as “stone fruit,” which are fruit with a relatively large, hard seed in the center. It includes almonds, apricots, cherries, nectarines, peaches, and plums, and we will work with the assumption that they are *kilayim* with one another. This is particularly appropriate for crosses between almonds and any other member of that genus because in almonds, the “stone” is the edible portion of the fruit (i.e., the nut) while in all the other stone fruit, the seed/stone is inedible (and sometimes even dangerous). [See also *Mishnah, Kilayim* 1:4, that a mix of peaches and almonds is *kilayim*].

it seems irrelevant that there are “permitted methods” of obtaining the same fruit.

GRAFTING VS. BREEDING

To better understand the application of this halacha, it is worthwhile to understand that there are two separate ways in which *kilayim* happens.

Grafting

The most common way it occurs is grafting, where a tree which produces desirable fruit (known as the “scion”), is grafted onto a base tree (known as the “rootstock”) that has desirable growing traits. For example, a sweet orange scion might be grafted onto a sour orange rootstock; people want to eat sweet oranges, but sour orange trees are resistant to drought. The resulting tree will have physical characteristics of the rootstock, (e.g., how it grows, diseases it can withstand), but none of the genetic material from the rootstock will pass to the fruit, and therefore the fruit will be the exact same species as the scion. In our example, the tree will be resistant to drought (like the rootstock) and grow sweet oranges (like the scion).

Nowadays, grafting – as described above – is quite common. The “nursery” where saplings grow will mix rootstocks with scions to provide growers with trees that meet their specific needs. As relates to our discussion, there are three relevant points. Firstly, if one were to adopt the position of *Halachos Ketanos* that the issur is limited to cases where a “new” type of fruit is created, then grafting will never present an issue since grafting never creates new types of fruit, but rather just grows the type of fruit that the scion would naturally produce by itself. However, we noted above that it appears the criterion is whether the fruit was grown “against Hashem’s desire” and that applies even if the fruit is identical to other ones grown in a perfectly permitted manner.

Secondly, even though grafting is widespread, that does not mean it involves *kilayim*. For example, sweet orange and sour orange are presumably one “species/מין” as relates to *kilayim*. In this context, it is worth bearing in mind that nurseries tend to only graft scions to rootstocks that are from the same “genus.” The halachic classification of a “species” is not perfectly aligned with the scientific classification of genus – for example, peaches and almonds are both in the *prunus* genus, but are presumably not one מין as

relates to *kilayim*¹⁹ – however, in certain cases, grafting of a scion onto a rootstock will not involve *kilayim* and it would be perfectly fine to recite *shehechyanu* on the resulting fruit. [See some details on this in the footnote, including that the concern is greater for stone fruits than for pome or citrus fruits.]²⁰

Lastly, there is no realistic way for a consumer to find out how the fruit he eats was grown. Was it grafted at all? [It almost always is.] More importantly, how different were the rootstock and scion from one another? How does this lack of information affect the person’s ability to recite *shehechyanu*? This requires further consideration.²¹

Breeding

In contrast to grafting, “breeding” is a method of creating new types of fruit. It does not come about through binding/grafting trees together, but rather by taking pollen from one tree and putting it into the stigma of a different type of tree. Breeding causes a blending of genetic material from both trees, and the fruit that grows has genetic material from each “parent.” For example, the popular “Honeycrisp” apple was created by breeding Macoun apples (which are red, sweet, and crunchy) with Honeygold apples (which are

19. See previous footnote. 20. See sidebar on Page 4. 21. Although as relates to certain types of *kilayim* (כלאי זרעים) the halacha is that *safek kilayim* is permitted in *chutz la'aretz* (*Shulchan Aruch* 296:69), that is specific to ones which are only forbidden *mid'rabannan* in *chutz la'aretz*, but does not apply to *kilayim* of trees which is forbidden *mid'oraisah* even in *chutz la'aretz* (see *Shulchan Aruch* 295:1) (*Chasam Sofer* YD 2:288). 22. Honeycrisp apples were created by the University of Minnesota and they write (<https://mnhardy.umn.edu/apples>) that it takes decades to find a new breed and bring it to market, and in the very first round of that research only 1 of every 200 crossbreeds was deemed worthy of moving to the next stage of experimentation.



yellow, and can grow in very cold climates), which resulted in a tree (Honeycrisp) that can grow in cold climates and produces a red, crunchy apple. It is also how the Aprium noted above was created using pollen from an apricot tree and putting it into the stamen of a plum tree, to create a fruit that had a blend of qualities from both fruits.

Breeding is much more uncommon than grafting and primarily happens in universities or other research institutions that try hundreds of combinations hoping to find one that has desirable properties which help consumers and/or farmers. For example, the university which created Honeycrisp apples tried dozens of blends between Macoun and Honeygold before they found the one that was just what they were looking for.²² Once that “perfect” fruit was discovered, it was not propagated by crossbreeding more Macoun and Honeygold trees. Rather, branches from the tree which grew the original Honeycrisp fruit were grafted onto appropriate rootstocks (as described above) so that they would grow exact duplicates of that “perfect” fruit.

In the case of Honeycrisp apples, this discussion is not particularly relevant since it is a crossbreed between two types of apples (Macoun and Honeygold) which does not raise any issues of *kilayim*. However, if we assume that apricots and plums are separate species/מינים and a mix of them is *kilayim*, things become more complicated as relates to *shehechyanu*. That is because once the “original” Aprium was created we would imagine it was propagated by grafting it onto either an apricot or plum rootstock. Is that grafting considered *kilayim*?

*Chazon Ish*²³ addresses this question as



relates to an *esrog murkav*, which refers to a fruit (inappropriately) created as a crossbreed of *esrog* and lemon which now has genetic material of both *esrog* and lemon. *Chazon Ish* rules that since (as noted at the beginning of the essay) the determination of halachic “species” is made based on visible/detectable properties of the tree and fruit, we judge the *esrog murkav* by what it looks like. Since an *esrog murkav* looks reasonably similar to other *esrogim*, it can be grafted onto an *esrog* tree, and since it looks very different from a lemon it cannot be grafted onto a lemon.

The same criteria should seemingly apply to the Aprium: it is reported as being a blend created from approximately 75% apricot and 25% plum and primarily exhibits features of apricot.²⁴ Assuming this is accurate, *Chazon Ish* would say that it can be grown on an apricot rootstock, but it would be *kilayim* to grow it on plum rootstock. [In fact, it is typically grown on a peach rootstock, with which it is surely *kilayim*.] A similar calculation would have to be made for each crossbreed to know which rootstock it can be grown on.

In summary, when dealing with a crossbreed, the crossbreeding per se will not affect our ability to recite *shehechyanu* when eating the fruits; the fruit we eat is a “descendent” of that original crossbreeding/*kilayim* while the fruit we eat grew on a regular tree without crossbreeding. However, crossbreeding sometimes creates a fruit which has properties of different fruits, and we must determine which species it belongs to, to know whether there is a *kilayim* concern when it is grown on a specific rootstock.

Some research into this topic from academic papers and consultation with nurseries, showed the following generalities:

- **ALMONDS** are usually grown on peach rootstock.
- **APRICOTS** are usually grown on peach rootstocks (Nemaguard) and sometimes on a blend of peach, plum, and almond (Citation). [Citation is used as the rootstock for many stone fruit.]
- **PEACHES** are generally grown on peach rootstocks, but some are on blends of peach and almond, or peach and plum.
- **PLUMS** are either grown on peach, plum, or a peach/plum blend.
- **APPLES, CHERRIES, GRAPES, PEARS, PISTACHIOS, and WALNUTS** are almost always grown on rootstock of their own type of fruit (e.g., apple rootstock for apple scion). An exception is that for consumers who want shorter pear trees for aesthetic purposes, the pear scion will be grafted onto quince which is a “dwarfing rootstock.”
- **CITRUS FRUIT** often use rootstocks which match the fruit-type of the scion, but there is reason to believe that rootstocks for citrus are primarily chosen based on features they have (e.g., resistance to disease or drought). In this context it is worth bearing in mind *Chazon Ish* (*Kilayim* 3:7) who questions whether all citrus fruits might be considered one species / מין as relates to *kilayim*.

In summary: stone fruits (almonds, apricots, cherries, nectarines, peaches, and plums) are often *kilayim*, while pome fruits (apples, pears, and quinces) and citrus fruits (grapefruits, lemons, limes, mandarins, oranges, and pomelos) are usually not.

23. *Chazon Ish*, *Kilayim* 3:7. 24. See <https://ucanr.edu/blog/backyard-gardener/article/demystifying-pluots-apriums-and-other-stone-fruit-hybrids> and <https://theveganatlas.com/a-guide-to-pluots-plumcots-apriums-other-stone-fruit-hybrids/> that apriums are 75% apricot and 25% plum (and taste more like apricots than plum), pluots are 75% plum and 25% apricot (and look and taste more like plums than apricots), and plumcots are 50% plum and 50% apricot (yet tend to be more like apricots than plums).

When Beth Din Calls

A GUIDE TO THE HAZMANA PROCESS

(continued from cover)

The form requires the plaintiff to include a brief description of the nature of the claim and some supporting documentation. This enables the Beth Din to review the material to determine whether the plaintiff has grounds enough to warrant a *din Torah* (Beth Din hearing). Furthermore, in the event the claim warrants a *din Torah*, the Beth Din will summon the respondent to appear in front of the Beth Din. This summons, known as a *hazmana*, includes a brief description of the claim against the defendant so he or she can decide whether to attempt reconciliation directly with the plaintiff at this point or prepare to come to Beth Din. A summons without specificity would leave the defendant at a significant disadvantage when it comes to his or her ability to prepare a defense in advance of the proceeding. Authorities debate whether the *hazmana* must include the substance of the claim² and indeed different practices exist among different *batei din*.³ However, the practice of the Beth Din of the Chicago Rabbinical Council is to include the content of the claim.

Number and Delivery of Hazmanos

The *Shulchan Aruch* (CM 11:1) based on the *Gemara* (Moed Katan 16a), discusses sending three *hazmanos* to rural respondents who travel for work (and are thus more difficult to find) and one time to city dwellers (who are more easily located). However, the *poskim* point out that the common practice developed to send three invitations to all respondents regardless of locale to ensure

receipt in our increasingly hectic and chaotic lives.⁴ Historically, the Beth Din sent agents to hand deliver these invitations; however, due to inefficiency and case volume, personal *hazmana* delivery became unsustainable. Contemporary *poskim* have ruled that mail and email effectively serve as vehicles to deliver a Beth Din *hazmana*.⁵ The cRc, like many *batei din*, communicates a summons via email to the parties. However, in the event the *hazmana* is not adequately answered (see below), the Beth Din will not issue an order of contempt (*shtar seruv*) without reaching out to the respondent directly either via phone or a *hazmana* sent through certified mail.

Proper and Improper Responses to a Hazmana⁶

If the respondent receives the *hazmana* and does not wish to participate in the Beth Din proceedings, he may avail himself of one of three options. First, the respondent can offer to arbitrate the case before a different Beth Din recognized by the current Beth Din.⁷ Alternatively, the respondent may propose adjudicating the case through a process referred to as *zabla*, where each party selects an arbitrator and those two appointed judges agree on a third arbitrator.⁸ Finally he may argue that the case falls outside of the halachic jurisdiction of the Beth Din.

If the respondent requests to appear in front of another recognized Beth Din suitable to the claimant, that agreed upon Beth Din will hear the case. If, however, the chosen Beth Din is determined to be

unqualified or the respondent appears to be procrastinating, the summoning Beth Din will characterize the respondent as recalcitrant,⁹ the ramifications of which will be discussed below. If a respondent requested a recognized Beth Din, but nonetheless the claimant finds it unsuitable, the summoning Beth Din will often convert the case into a *zabla* where each side has the right to pick an arbitrator (qualified to function as such based on the assessment of the Beth Din) as described above. In the event of *zabla*, either by initial choice or as a result of the parties' inability to agree on a designated Beth Din, if the respondent appoints an unsuitable arbitrator, the Beth Din will treat the situation as analogous to one in which no proper response is forthcoming (see below). Similarly, if the respondent attempts to show that the case is outside of the jurisdiction of the Beth Din and the Beth Din determines that claim to be incorrect, it will treat the matter as one in which no proper response is forthcoming unless the party then agrees to submit to the jurisdiction of the Beth Din by choosing an alternative acceptable response.

Once the parties settle on a Beth Din to adjudicate the dispute, it is critical that they sign a *shtar beirurin* (arbitration agreement) to assign jurisdiction to the Beth Din to decide their case.¹⁰ The Beth Din also requires them to accept this jurisdiction through a legal act of *kabalas kinyan*, otherwise referred to as *kinyan sudar*, with a handkerchief or similar type item.¹¹ In addition to the important halachic role played by the arbitration agreement, it also authorizes the Beth Din jurisdiction to decide the case under civil law. This signed agreement allows the parties to confirm the decision in a secular court which thereby enables the court to enforce the binding decision of the Beth Din. Additionally, once the parties are committed to a particular

(continued on page 6)

2. See Shach CM 11:1 who cites two opinions on the matter. 3. Rav Moshe Feinstein (*Igros Moshe* CM 2:6) addresses the practice of a prominent Beth Din that issues *hazmanos* that do not specify the details of the plaintiff's claim and defends it based on the fact that a reputable and well respected Beth Din would not accept frivolous cases that could be easily resolved outside of the Beth Din, so the respondent will trust that the summons he received is significant and worthy of adjudication in Beth Din. 4. *Pischei Teshuva* (CM 11:1). 5. *Seder Hadin* (1:14 and footnote 23). 6. The procedures described in this paragraph can be found in the cRc Beth Din Rules and Procedures section 2. 7. See *Shulchan Aruch* (CM 14) for a fuller discussion of when it is appropriate to request transferring the case to an alternative Beth Din. If both parties reside in the same city and that city has a Beth Din, it is harder to move the case to a Beth Din in another city without the agreement of both parties. It is also more typical for the case to be tried in the Beth Din of the community where the respondent resides. 8. *Shulchan Aruch* (CM 13); See "ZABLA Panels and Courts" by Rabbi Yona Reiss in *Chicago Rabbinical Currents* (Volume 2 Issue 3) for a discussion of the *zabla* process in theory and in practice. 9. See *Aruch Hashulchan* (CM 26:5). 10. *Shulchan Aruch* (CM 13:2). 11. *Shulchan Aruch* (CM 22:1).

(continued from page 5)

Beth Din (and certainly if proceedings have commenced), it is not permitted to pursue the claim in any other Beth Din.¹²

What if a respondent wishes to pursue mediation or third-party arbitration as opposed to submitting to a Beth Din *hazmana*? The *poskim*¹³ cite Rabbi Akiva Eiger (CM 3:1) who ruled that arbitration in front of a panel who adjudicate disputes based on common business practice and industry standard conforms with the halachic obligation to seek dispute resolution outside of civil court. Although these arbitrators do not necessarily rule based on *Shulchan Aruch*, their adjudication does not violate the prohibition of litigating in civil court because they are not bound by a specific set of laws. They instead rule based on what is right and fair based on industry practice. Consequently, if a respondent wishes to pursue arbitration outside of Beth Din but also outside of the court system, a Beth Din would view this as a legitimate response should the claimant agree as well. However, if the claimant in turn refused to participate in mediation or arbitration and instead insisted on going only to Beth Din, the Beth Din would likely not deem him as recalcitrant either, and would permit him to seek relief in secular court if the other party refuses to submit to Beth Din.¹⁴

Remedies for Recalcitrant Respondent

In the event that the respondent does not respond adequately to the Beth Din *hazmana*, what remedies exist to motivate compliance and/or provide an avenue for resolution? A person who fails to comply with three *hazmanos* is considered a *mesareiv le-din* (recalcitrant litigant) and is sometimes sanctioned with *harchakos* (distancing measures that serve to alienate him from his community). These *harchakos*, referred to as *harchakos de-Rabbeinu Tam* in the context



of a husband who fails to comply with a Beth Din decision that he should give a *get* to his wife, are recorded by the *Rema* (*Even Ha'Ezer* 154:21) and include barring the *mesareiv* from participating in communal events including *minyanim* and from holding communal positions as well as preventing others from socializing or conducting business with him. When the cRc Beth Din issues a *shtar serv* documenting the litigant's recalcitrance and subjecting him to the distancing measures, the claimant has the right to publicize this letter within the respondent's community however he desires. This remedy is often reserved for individuals who fail to comply with Beth Din in higher stakes matters such as *get* refusal or fraudulent dealings that pose a serious risk of financial harm to the entire community.

In other instances, the Beth Din provides an alternative remedy, namely permission for the claimant to pursue his claim in secular court. Generally, Jewish litigants may not pursue claims in civil court;¹⁵ however, halacha allows for an exception when the respondent otherwise refuses to cooperate and the claimant risks losing his claim.¹⁶ Therefore, when dealing with a *mesareiv le-din*, the Beth Din will often issue a *heter arkaos* (permission to file a claim in civil court) to allow the claimant to pursue his claim. The parameters of the prohibition to adjudicate in secular court and the contours of a *heter arkaos* are beyond the scope of this article.¹⁷

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We value proactive community engagement, education and partnership, and Chicago Rabbinical Currents articles address aspects of practical halacha that are applicable to all.

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Chicago Rabbinical Council

12. This is based on the principle of *beis dina basar beis dina lo dayki*, a Beth Din does not investigate the decisions of another Beth Din (*Bava Basra* 138b). 13. See *Pischei Teshuva* (CM 3:2). 14. See Rabbi J. David Bleich *Contemporary Halakhic Problems V* (pg. 37). 15. *Shulchan Aruch* (CM 26:1). 16. *Shulchan Aruch* (CM 26:2). 17. See Rabbi Yaacov Feit's "The Prohibition Against Going to Secular Court" in the *Journal of the Beth Din of America* (volume 1).