

## 2. Maintenance

### a. General

The Maintenance Law assures payments to divorced, separated, or remarried women, as well as common law wives, who have been awarded alimony by the rabbinical court, but do not receive it. The payment amount is set by the court, or by provisions of the Maintenance Law – whichever is less: when the maintenance payments mandated by court ruling are higher than those of the Maintenance Law, the amount set by the latter will be paid subject to a means test. The level of maintenance payments set by the Law equals the income support rate for single-parent families.

The National Insurance Institute is responsible for collecting maintenance payments awarded in court rulings through execution proceedings taken against the obligated party. Therefore, only a woman who is not taking steps for execution of the ruling herself, or who has stopped such proceedings prior to submitting an application to the NII, is eligible for maintenance. Should the NII collect from the obligated party an amount higher than the amount paid to the woman, she will be eligible to collect the difference.

Amendments to the Income Support Law's means test have also affected this population. 2014 saw a continuation of the decline that began approximately a decade ago, in the number of women receiving maintenance payments from the NII – at a rate of approximately 4% each year up to 2008. In subsequent years, the decreases were more moderate – approximately 2.5% on average per year. In 2014, maintenance payments were made to an average of 17,800 women per month – the lowest number in the last 20 years. Moreover, as will be noted below, there was a continued reduction in the number of women receiving both maintenance payments and income support benefits.

### b. Maintenance Recipients

The demographic characteristics of the women receiving maintenance payments in 2014 continue the trends of recent years, as indicated by table 1: 67% of them were divorced, 13% lived separately from their spouses while remaining married, 9% remarried, and the rest, 11%, were common law wives. It should be noted that the data indicate a clear trend of a slight drop in the percentage of divorcees out of the total of all recipients – from 72.8% in 2005 to 67.3% in 2014, while there has been a simultaneous rise in the percentage of single women – from 5% in 2005 to 11% in 2014. In 2014, most of the women who received maintenance payments (approximately 77%) were mothers of one or two children (versus 62% of all families with children in the population), and 9% were mothers of four or more children (versus 17% of all families with children in the population).

In recent years, there has been a noticeable reduction in the number of maintenance payment recipients – from some 20,000 women in 2010 to 18,000 in 2014 (table 2).

Their distribution by court ruling and employment characteristics was affected in 2003 by the legislative amendments, but not in a significant manner. 75% of the women received maintenance payments in accordance with a court ruling, and the rest based on the Law's provisions; 5% received the full amount specified in the provisions, and 20% received a reduced payment due to income from work. The average amount paid to women in 2014 was 21% of the average wage (NIS 1,914 per month). However, there is a large gap between the amount women received based on a court ruling versus the amount received through Maintenance Law provisions. Based on court rulings, the average amount was only 21% of the average wage, while the Maintenance Law granted 36% for those receiving the full amount, and 19% for those receiving a reduced amount (table 3).

**Table 1**  
**Maintenance Recipients by Family Status**

Year	Total		Married to obligated party	Divorced	Remarried	Other
	Absolute numbers	Percent				
2010	20,012	100.0	13.8	69.4	8.7	8.1
2011	19,438	100.0	13.7	68.7	8.7	8.9
2012	18,745	100.0	13.2	68.2	9.2	9.4
2013	18,283	100.0	13.4	67.6	9.0	10.0
2014	17,736	100.0	13.0	67.3	9.2	10.5

In 2014, approximately 44% of maintenance recipients worked outside the home (versus 64% of married women), but their economic condition was not satisfactory. The amount awarded most of them by the court ruling was so low that there was no need to do an income test (since the court took into account the woman's income from work in its ruling). The average maintenance received by working women reached approximately 17% of the average wage. With the addition of work earnings, their overall income totaled less than half the average wage – an amount only 30% higher than the average

**Table 2**  
**Maintenance Recipients by Payment Type (Percentages), 2010-2014**

Year	Total		Payment based on provisions		Payment based on court ruling
	Absolute numbers	Percent	Full	Reduced	
2010	20,012	100.0	4.9	21.6	73.5
2011	19,438	100.0	5.2	21.7	73.1
2012	18,745	100.0	4.9	20.9	74.2
2013	18,283	100.0	5.3	20.5	74.2
2014	17,736	100.0	5.1	19.6	75.3

**Table 3**  
**Average Maintenance Payment as a Percentage of Average Salary**  
**in the Economy, by Type of Payment and Work, 2010-2014**

Year	Total	Payment type			Work	
		Based on provisions		Based on court ruling	Working	Not working
		Full	Reduced			
2010	20.4	35.9	18.7	19.9	16.3	23.9
2011	20.6	35.8	18.8	20.1	16.5	24.2
2012	20.7	35.6	18.9	20.2	16.6	24.1
2013	20.8	35.4	19.2	20.8	16.7	24.1
2014	20.9	35.5	19.1	20.4	16.9	24.0

amount of maintenance paid to women who received full payment as mandated by the provisions of the Law.

These data indicate that the Maintenance Law on its own does not assure a minimum income to all women in need, and thus women who were awarded low maintenance in a court ruling, and have no other income, or whose income from other sources is very low, are eligible for an income supplement from the NII by force of the Income Support Law, if they meet all the other conditions for eligibility. And indeed, in 2014, a monthly average of 3,730 women who received maintenance payments also received income supplements, versus 6,892 in 2006. In 2006, they represented 30% of all women receiving maintenance payments, but this percentage dropped to 21% in 2014.

### International Comparison of Maintenance Payments: Terms of Eligibility, Period of Payment, and Amount

For the sake of international comparison of terms of eligibility and benefit components, 31 OECD-member countries were selected. This comparison indicates that only 18 of these countries have a benefit parallel to maintenance, in the 13 other countries there is no solution assuring means of subsistence for a divorced, separated, common law, or remarried mother (see table below).

In most of the countries that have a maintenance law, the eligibility is granted to the child or to the woman as mother of the child, in contrast to Israeli law, which only relates to the woman

In a few of the countries, eligibility for the benefit is limited to several years or until the child reaches age 18 (or 20 under certain conditions). In Israel, even a woman with no children can under certain circumstances be eligible for maintenance.

The amount of payment in Israel is among the highest among European Union countries (see figure), such that Israel is a leader both in terms of eligibility for maintenance and payment amount.

### Maintenance: Terms of Eligibility, Period of Payment, and Amount in OECD Countries and Israel, January 2014

Country	Terms of eligibility	Period of payment	Amount of monthly payment
Israel	Divorced, separated, common law, or remarried woman who was awarded maintenance by the court but the obligated party does not fulfill his duty	Unlimited	Average of €408 per month
Germany	Single parent with child up to age 12 awarded maintenance by the court but the obligated party does not fulfill his duty	Six years	€180 per child
Austria	A minor awarded maintenance and does not receive from one of his parents	Unknown	Unknown
Belgium	No benefit		
Bulgaria	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty	Unknown	Unknown
Cyprus	No benefit		
Croatia	No benefit		
Denmark			€170 per child
Spain	No benefit		
Estonia	A minor awarded maintenance and does not receive from one of his parents	3 months	€96 per child
Finland	A minor awarded maintenance and does not receive from one of his parents		€154 per child
France	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty	Until child reaches age 20	€91 per child
Greece	No benefit		
Hungary	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty. Conditioned on an income test.		Up to €24 per child
Ireland	No benefit		
Iceland	Single-parent		
Italy	No benefit		
Latvia	No benefit		
Liechtenstein	A minor awarded maintenance and does not receive from one of his parents		
Lithuania	No benefit		
Malta	Plaintiff awarded maintenance but the obligated party does not fulfill his duty		
Norway	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty		€170 per child
Netherlands	No benefit		
Poland	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty. Conditioned on income test.		Up to €120 per child
Portugal	No benefit		
Czech Republic	No benefit		
Romania	No benefit		
UK	Single-parent for children		
Slovakia	Based on income test		
Slovenia	A minor awarded maintenance but the obligated party does not fulfill his duty	Until child reaches age 18	€72-€94
Sweden	Single-parent awarded maintenance for children but the obligated party does not fulfill his duty	Until child reaches age 18, or 20 in certain cases	€143 per child
Switzerland	Terms of eligibility vary based on canton		

Monthly Maintenance for Woman with Two Children (in Euro), Select Countries



