

# Maintenance Payments

## General

The Maintenance Law guarantees payment to divorced, separated women, or remarried women, as well as common-law wives, to whom the Rabbinical Court has awarded maintenance (alimony), yet its debtor does not fulfill his obligations to them. The payment amount is either determined by court judgment or by Maintenance Law Regulations – whichever is less. When the awarded maintenance payments are higher than those according to Regulations, the amount determined by the latter will be paid, subject to a means test. The level of maintenance payment determined by Regulations equals the rate of income support benefit for single-parent families.

The National Insurance Institute (NII) is also responsible for collecting maintenance payments awarded by court through execution proceedings taken against the debtor. Therefore, only a woman who does not herself institute proceedings of execution of the judgment, or who has discontinued such proceedings, before submitting an application to the NII is eligible for the payment of maintenance from the NII. Should the NII collect from the debtor an amount higher than the amount paid to the woman, she is entitled to receive the difference.

Amendments to the Income Support Law's means test have also affected this population. As in 2015, in 2016 the number of women receiving maintenance payments from the NII decreased by approximately 5%, continuing a downward trend since 2003, at a rate of approximately 4% per year from 2003 to 2008 and approximately 2.5% per year between 2009-2014. In 2016, maintenance payments were made to 16,254 women per month on average – the lowest number in the last twenty years. Moreover, as mentioned below, there was a continued reduction in the number of women receiving both maintenance payments and income support benefits.

## Recipients of Maintenance Payments

In 2016, among the women who received maintenance payments from the NII, approximately 67% were divorced, 13% lived separately from their spouses though still being married, 9% were remarried, and the rest, approximately 11%, were common-law wives (Table 1). This situation has remained stable in recent years, as has the distribution of women receiving maintenance payments by number of children: most of them (approximately 76%) were mothers of one or two children and approximately 9% were mothers of four or more children (compared to, respectively, 62% and 17% of all the families with children in the population).

Their distribution by type of payment indicates that approximately 75% of the women received maintenance based on court judgments and the rest according to Regulations: 5% received the full rate specified in the Regulations, and approximately 20% received a reduced payment due to income from work (Table 2). The average amount paid to the women in 2016 was about 20% of the average wage (NIS 1,940 per month on average). This amount is similar to the reduced amount collected by women according to the Regulations, at about 20% of the average wage too. However, this amount is rather low in comparison with the full payment according to Regulations which amounts to approximately 34% of the average wage.

Approximately 44% of maintenance recipients in 2016 worked (in comparison with 65.5% of married women), but their economic condition was not satisfactory. In claims ruled by court for alimony, woman's income from work is taken into account. As regard to women receiving maintenance payments from the NII, maintenance amount was so low that a means test was not necessary.

The average amount received by working women amounted to approximately 16% of the average wage (Table 3), and, with the addition of income from work, their overall income totaled an average of 45% of the average wage – an amount 30% higher than the

Table 1  
Maintenance Recipients by Family Status (Percentages), 2012-2016

Year	Total		Married to Debtor	Divorced	Remarried	Other
	Absolute numbers	Percentages				
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
2015	16,689	100.0	12.7	67.2	9.0	11.2
2016	15,819	100.0	12.6	67.2	8.9	11.3

average maintenance paid to women who received a full payment as mandated by the provisions of the Regulations.

These data indicate that the Maintenance Law on its own does not guarantee a minimum income for all women in need, and therefore women who were awarded low maintenance payments by Rabbinical Court, and have no other income, or whose income from other sources is very low, are eligible for income supplement from the NII by virtue of the Income Support Law, if they meet all the other conditions of eligibility. And indeed, in 2016, a monthly average of 2,872 women who received maintenance payments every month also received income supplement, in comparison with 6,892 in 2006. Although they represented in 2006 approximately 30% of all women receiving maintenance, their percentage decreased to approximately 18% in 2016.

Table 2  
Maintenance Recipients by Payment Type (Percentages), 2012-2016

Year	Total		Payment according to Regulations		Payment based on Court judgment
	Absolute numbers	Percentages	Full	Reduced	
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
2015	16,689	100.0	5.0	19.4	75.6
2016	15,819	100.0	5.5	19.8	74.7

Table 3  
Average Maintenance Payments as a Percentage of Average Wage, by Type of Payment and Work, 2012-2016

Year	Total	Type of payment			Work	
		According to Regulations		Based on Court judgment	Working	Not working
		Full	Reduced			
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
2015	20.6	35.1	18.8	20.0	16.6	23.7
2016	20.3	34.3	18.5	19.7	16.2	23.4

