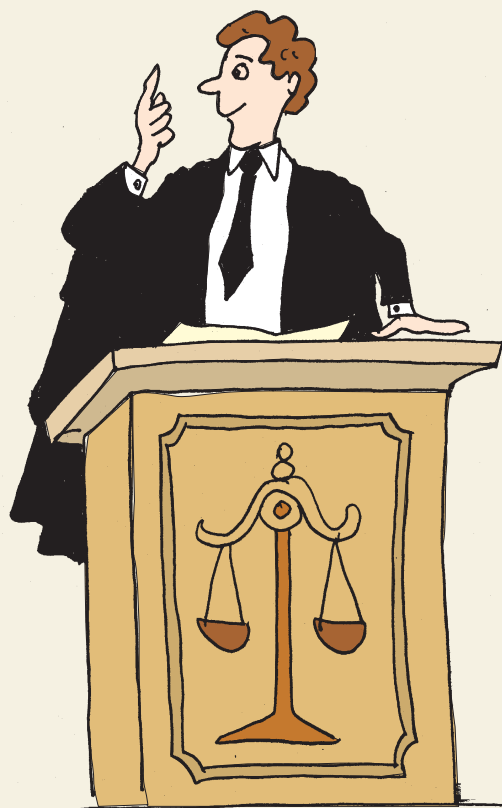




המשרד לקליטת העלייה
Ministry of Immigrant Absorption

ENGLISH

עורכי דין



Lawyers |

עיצוב: סודריו הראל

אנגלית

עורכי דין



המשרד
לקליטת
העלייה



מדינת ישראל

הופק על ידי
אגף מידע ופרסום
המשרד לקליטת העלייה
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www.moia.gov.il
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Lawyers

3rd Edition

Special thanks to **Rachel Ofir** of the Israel Bar for her assistance
in preparing this booklet.

Produced by the Publications Department

Ministry of Immigrant Absorption

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Working Conditions for Lawyers in Israel

There are thousands of qualified lawyers in Israel today, referred to as advocates (*orchei din* [plural] *orech din* [singular] in Hebrew). The number increases each year as more advocates qualify for the Israel Bar.

Many transactions in Israel require the services of a lawyer as a matter of course; these are often procedures that in other countries are dealt with by other types of professions or that individuals can handle themselves.

Israel's legal system is based on common law, and lawyers from common law countries are respected and generally adapt well to the Israeli legal system. Although law is a crowded profession in Israel, once you are proficient in Hebrew, your chances of success – as a lawyer from an Anglo Saxon country – are as good as those of your Israeli-born counterparts.

In Israel, lawyers practice in both secular and rabbinical courts. Practices tend to be much smaller than in other Western countries. A one- or two-person firm is usually the norm rather than the exception.

Specialization has become more common in recent years.

Income depends a great deal on your responsibilities, the type of firm employing you, geographic location and other factors. Generally speaking, it may realistically take up to three years after qualifying to achieve a reasonable salary even by Israeli standards. During this time you should be prepared to draw upon savings to cover expenses. Once you succeed in Israel, however, there is no limit to how well you can do, and many Anglo-Saxon lawyers have successfully



continued their professional careers either independently or as employees in the public or private sectors.



Note: this is the third edition of this booklet, and hereby nullifies any previous editions. The information contained in this booklet is based on data provided by various official sources. Details are subject to change. In case of any discrepancy, the regulations of the Israel Bar Association, the Ministry of Immigrant Absorption, and other official bodies will prevail.



The Basis of Israeli Law

Israeli law has four principle origins:

- Ottoman law from the period of Turkish rule
- British common law introduced during the period of the Mandate (1917-1948)
- Traditional Jewish Law – *Halachah*
- Legislation adopted by the Knesset since the establishment of the State (1948)

Today Turkish law is not influential and is seldom referred to. British common law is also becoming less important, however many British legal concepts have remained very influential.

Traditional Jewish law exercises a double influence: on issues of personal status and in the investiture of authority in rabbinical courts, and on new legislation, which refers to Jewish law whenever it is appropriate.

The main body of Israeli law is that legislation which has been instituted by the Knesset since the establishment of the State. It constitutes a coherent system based on the needs of Israeli society and inspired by Western legal systems. In 1986 the government set up a Public Commission of Codification, made up of judges, academics and others.



The Israel Bar

The Israel Bar has three main functions:

1. To register and examine trainee advocates and supervise their training.
2. To qualify new advocates.
3. To exercise discipline over its members and trainees.

The Bar also offers legal aid to persons with limited means, protects its members' professional interests, offers insurance and pension funds, and publishes legal material.

The Bar may be able to assist members in finding employment.

Check the Bar Association Website for news and updates: www.israelbar.org.il.



Admission to the Israel Bar

There are four main requirements that new immigrants must meet in order to be admitted to the Israel Bar:

1. Recognition of Legal Credentials
2. Examinations
3. Period of Articles (Internship)
4. Residency in Israel

Career possibilities are usually extremely limited for lawyers who remain licensed only in their country of origin, without becoming an Israeli advocate. Firms in Israel very rarely employ foreign lawyers who have not qualified to practice in Israel. Israeli law places certain restrictions in practicing Israeli law on lawyers who have not qualified in Israel.

Recognition of Legal Credentials

Recognition of your legal credentials may be granted on the basis of any of the following:

- A. A university law degree or other certificate of higher education recognized by the Faculty of Law of the Hebrew University of Jerusalem, or;
- B. At least two years of practical experience as an advocate, solicitor, barrister or judge, while holding a license to practice in your country of origin, or;
- C. Two years' experience in judicial functions for which only persons with legal education are qualified.

Certificates of recognition of past legal experience must be obtained from the Law Society or other official judicial authorities in your country of origin, or in which you were licensed to practice law.

All certificates, degrees, diplomas, etc. must be submitted to the Israel Bar. See Useful Addresses.



Note: original documents should be used for display purposes only. Make sure to have notarized copies of all documents that you must submit. Always retain the original documents.

Examinations

Written Examinations – Length of Examination – 3 hours

Subjects

- Hebrew language
- Obligations (Tort and Contract) and Labor Law
- Property Law
- Family and Succession Law
- Criminal Law and Criminal Procedure
- Civil Procedure and Professional Ethics
- Constitutional and Administration Law
- Commercial Law B (Bankruptcy, Liquidations, Bills, of Exchange, and Tax Law)
- Commercial Law A (Corporations, partnerships and other Associations)

Candidates that qualify as per section A above are required to pass a Hebrew Examination, and six of eight examinations before beginning a period of articles.

Candidates qualifying as per section B+C above are only required to pass a Hebrew examination before beginning articles. The law examination can be taken during the articles or after.

Questions and Answers

The questions on all law examinations are in Hebrew, but the answers may be written in any other language approved by the Bar.

The pass mark for each examination is 61.

Dates of Examinations

The Law and Hebrew exams are held twice a year, in January and August. There is an additional Hebrew exam in April and October.

Note: A candidate must pass all examinations before taking the final written examination or, if he is exempt from the Final Examination, before being admitted to the Israel Bar.

It is advisable to complete the qualifying examinations as soon as possible. You must register for the examinations with the Israel Bar Association at least one month before the session begins.

Preparing For Examinations

The Israel Bar, together with the Ministry of Immigrant Absorption, has instituted an intensive study program for immigrant lawyers. Its aim is to provide the in-depth understanding of the Israeli legal system necessary to practice law in Israel.

Classes in the legal subjects – but not for the Hebrew language examination – are conducted in easy Hebrew. This program is open to immigrants only. The Ministry of Immigrant Absorption may provide some reimbursement of travel expenses for the duration of the course. Contact a personal absorption counselor at Ministry branch offices for details.

A Bar Review Course, organized by immigrant advocate David Saville, is held twice a year, in August and December, immediately before examinations. The courses, conducted in English, are specifically geared to the requirements of lawyers from English-speaking countries. The lectures and seminars

are given by lawyers who originally practiced law in those countries and are now successful advocates in Israel. It should be noted, however, that this course is geared towards preparing you for the examination only and does not provide extensive in-depth knowledge of the Israeli legal system. There is a fee for the course. For more information, contact the Israel Bar.

Articles (Internship)

Immigrant lawyers generally serve a period of articles (stage, traineeship) of up to 12 months. In certain cases, this period may be reduced at the discretion of the Israel Bar based on the candidate's previous legal experience. However, the policy of the Israel Bar is to require 12 months, with at least 36 hours of articles per week.

Final Written and Oral Exams

After completing articles, it is necessary to take final exams. Final written and oral examinations are held twice yearly in May and November in the following theoretical and practical subjects:

- Procedure in Courts, the execution office and bankruptcy.
- Procedure of registering lands and rights in real estate.
- Procedure of registering corporations, partnerships and liquidations.
- Interpretation of laws and judicial documents.
- Professional ethics.
- Evidence.
- Recent changes in case law and legislation.

Candidates who have at least five years of previous legal experience from the time of legally qualifying in their country of origin, and who begin their articles

within ten years of arrival in Israel, are generally exempt from this exam.



Note: Residence in Israel is a condition for admission to the Israel Bar.

Admission ceremonies are held twice yearly, at the end of June and the end of December.

General

- Degrees, diplomas etc. must be submitted to the Israel Bar, 1 Rehov Chopin, Jerusalem.
- Only originals or copies legalized (notarized) by Israeli Consular officers abroad or Israeli advocates are acceptable.
- Certificates of recognition of past legal experience must be obtained from the local Bar Association or other official judicial authorities in the country of origin in which the experience has been obtained, or, if this is not possible, on past employers' official masthead stationary.
- Applications for the examinations must be presented in writing at least one month prior to the exams.

Finding a Job



The first step in your job search is finding a suitable law office in which to serve articles (internship), for a period of up to 12 months. As the salary for an articulated clerk is minimal, finding suitable employment is not usually too difficult, provided that your Hebrew is on a high enough level.

District offices of the Bar may list firms requiring articulated clerks, and openings sometimes appear on the notice boards in local law courts. However, there is no centralized system for articulated clerks to find a position. In many cases, you will have to rely on various connections, e.g., by participating in a Bar Review Course and meeting others, in order to hear about openings.

Once you obtain an Israel Law License, finding suitable employment can become more difficult. However, having served articles, you will have a much better appreciation of working conditions. Law is a crowded profession in Israel, which means that you will have to be assertive about finding a job.

There are a number of steps you can take to facilitate your job search. You can limit yourself to one or two, but the more avenues that you pursue, the more effective your search is likely to be.

Official Frameworks for Finding Employment

Assistance from the Ministry of Immigrant Absorption

Your Ministry of Immigrant Absorption personal absorption counselor will work with you to devise an employment track that suits your needs. Assistance can include access to the Ministry's database of employment openings, referrals to training or retraining courses, and participation in salaries. Further, during your first year following aliyah, following the conclusion of Absorption Basket payments, you can receive assured income payments from the Ministry during your job search. To be eligible, you must register with your personal absorption counselor, and report to the counselor according to your personal employment program. Consult with a personal absorption counselor at a branch office of the Ministry of Immigrant Absorption for details.

The National Employment Service

The National Employment Service, a division of the Ministry of Industry, Trade, and Labor, is a government employment service. Assistance includes job placement and referrals to training courses. The Service differentiates between academics/professionals and non-academics, and offers separate services, either in a separate unit of the Employment Service office, or on different premises. You can locate the office nearest you via the Employment Service Website: www.taasuka.gov.il.

The first time that you go to an Employment Service office, bring with you a copy of your degree(s)/diploma(s), your *te'udat oleh*, and your *te'udat zehut*. It may be necessary to first have your degree certified by the Bureau for Evaluation of Overseas Degrees of

the Ministry of Education. You will also need to have a Hebrew version of your CV. If necessary, an Employment Service clerk can assist you in preparing a CV.

Job seekers are required by law to register with the Employment Service in order to receive unemployment benefits **following** their first year in the country. During your first year you can receive assistance from the Ministry of Immigrant Absorption. See above.

Finding Work on Your Own

Beyond the official sources of assistance, you may also have to look for work on your own.

To begin with, the newspaper help-wanted sections may sometimes have jobs for lawyers advertised. While the English-language newspapers carry some ads, the majority is to be found in the Hebrew press.

There are a number of personnel companies and head-hunting agencies throughout the country. You can find them on the Internet and listed in the *Dapei Zahav* (Yellow Pages) telephone directory.

Numerous companies and businesses in Israel have web sites, which often include listings of job openings or links to their personnel or legal departments. Even if no specific openings for lawyers are posted, it can often be worthwhile to research company sites in order to probe any niches you might fit.

The English-speaking immigrant associations (AACI, UJIA, the South African Zionist Federation) can help to link you to immigrant lawyers who have established themselves as Israeli advocates, and to possible job openings. You can also consult the AACI's on-line Jobnet site (www.jobnet.co.il) which contains listings for a variety of professions.

The Israel Bar may sometimes be able to assist members in finding employment.

Many Israeli lawyers find that specializing in an area of law increases their likelihood of securing work. At the time of publication, some of the more promising areas include public law, maritime law, fiscal law, patent law, aviation law and insurance law.

Some employment possibilities are to be found in the public sector. Almost every government ministry (such as the Ministry of Justice, the Ministry of Trade Industry and Labor, the Foreign Ministry), as well as public organizations, has legal departments. Other possibilities include the growing field of international and commercial law, as Israel strengthens its relations and trade ties with the United States, the European Union, Eastern Europe and the Far East.

Finally, as in many other aspects of Israel life, the best source of job leads is often word-of-mouth. Let everyone you can know that you are looking for work, and follow up on any leads they might offer. Many positions are filled without ever being advertised.



Note: for more information on finding employment in Israel, consult the booklet entitled "Employment," available from the Publications Department (see the order form at the back of this booklet).

Self Employment

Many lawyers in Israel find that the optimum employment solution is to go into business for themselves and work privately. While self-employment does offer the

benefits of professional and financial independence, the drawbacks include the lack of guaranteed work-flow and income.

If your plans are to ultimately set up your own practice, you will probably still find it necessary to work with other lawyers for your first years in Israel, until you have completely familiarized yourself with the Israeli legal scene and have the potential for building a client base.

The Ministry of Immigrant Absorption Entrepreneurs Division may be able to provide advice and some forms of assistance to those eligible. Consult with a personal absorption counselor for more information.



Hebrew



The importance of Hebrew ulpan as part of the absorption process cannot be overemphasized. The language skills you acquire in ulpan will benefit you through every phase of your absorption, including finding a place to live, looking for employment, and building relationships with veteran Israelis. During ulpan you will learn about and experience Israeli society, politics, and culture, while getting to know those institutions, authorities, and agencies that you will be dealing with in the future.

In any country, language is the basic tool of lawyers. Therefore a high level knowledge of Hebrew is essential. Further, immigrant lawyers must pass the Hebrew Language Examination in order to start their period of articles.

When looking for a job, you must be able to negotiate effectively with prospective employers, and, in many cases, employers will demand at least a working knowledge of Hebrew. Once you are employed, the ability to communicate easily with co-workers will facilitate your integration in the workplace. Furthermore, lectures, seminars, and workshops are usually conducted in Hebrew.

It is important to register at a Hebrew ulpan as soon as possible after obtaining new immigrant status in Israel. New immigrants are usually eligible to receive a subsidy for ulpan study only within the initial 18 months following the date of aliyah.

In order to find out about ulpan options, consult your personal absorption counselor at a local office of the



Ministry of Immigrant Absorption. The personal absorption counselor will confirm your eligibility for a subsidy of your ulpan study and refer you to non-residential, Ministry-approved ulpanim in your area.



Note: for more information, consult the booklet entitled "Guide to Ulpan Study," available from the Publications Department. See the order form at the back of this booklet.



Legal Studies In Israel

Legal studies are offered at the Hebrew University of Jerusalem, Tel Aviv University and Bar Ilan University. Programs last approximately 3 1/2 years and lead to an LLB degree. LLM programs take two years. There are also studies on the Ph.D level. Graduates from an Israeli university with an LLB degree can register with the Israel Bar.

Anyone wishing to study law in Israel must pass matriculation exams or their overseas equivalents, as well as pass psychometric tests, and meet all other entrance requirements of the institution in which they wish to study.

New immigrants who wish to pursue legal studies in Israeli universities may be entitled to assistance from the Student Authority. It is necessary to meet all Student Authority criteria for assistance.

For more information, consult with the Student Authority (located at branch offices of the Ministry of Immigrant Absorption in Jerusalem, Tel Aviv, Haifa and Beer Sheva). See Useful Addresses.

You can also choose to study law at a number of regional colleges. However, not all colleges are within the framework of assistance from the Student Authority, and not all study programs are recognized by the Israel Bar. Check with the Israel Bar and the Student Authority for more details.



A Brief Glossary

People

Articled Clerk	<i>mitmache</i>	מתמחה
Attorney General	<i>praklit hamedina</i>	פרקליט המדינה
Bailiff	<i>sadran beit hamishpat</i>	סדרן בית המשפט
Defendant	<i>neasham</i>	נאשם
Defense Attorney	<i>sanegor</i>	סניגור
Chief Justice	<i>nesi beit hamishpat haelyon</i>	נשיא בית המשפט העליון
Judge	<i>shofet</i>	שופט
Lawyer/solicitor	<i>oreh/et din</i>	עורך/עורכת דין
New immigrant	<i>oleh hadash/ olah hadasha</i>	עולה חדש/ה
Personal Absorption Counselor	<i>Yoetz/yoetzet klita ishi/ishit</i>	יועץ/ת קליטה אישית
Public Defender	<i>sanegor tziburi</i>	סניגור ציבורי
Prosecuting Attorney	<i>kategor</i>	קטיגור
Rabbinical Court Judge	<i>dayan</i>	דיין
Rabbinical solicitor	<i>to'en/to'enet rabbani</i>	טוען/ת רבנית
Witness	<i>aid</i>	עד

Places

Appellate Court	<i>Beit Din LeErurim</i>	בית דין לערעורים
Court	<i>Beit Mishpat</i>	בית משפט
Courtroom	<i>Olam Beit HaMishpat</i>	אולם בית המשפט

District Court	<i>Beit Din Azori</i>	בית דין אזורי
The Israel Bar	<i>Lishkat Orchei HaDin</i>	לשכת עורכי הדין
Juvenile Court	<i>Beit Mishpat LeNoar</i>	בית משפט לנוער
Magistrate's Court	<i>Beit Mishpat HaShalom</i>	בית משפט השלום
The Ministry of Immigrant Absorption	<i>HaMisrad LeKlitat HaAliyah</i>	המשרד לקליטת עלייה
The Ministry of Justice	<i>Misrad HaMishpatim</i>	משרד המשפטים
Rabbinical court	<i>Beit din rabbani</i>	בית דין רבני
The Supreme Court	<i>Beit HaMishpat HaElyon</i>	בית המשפט העליון

Things

Acquittal	<i>zikuie</i>	זיכוי
Appeal	<i>irur</i>	ערעור
Authorization	<i>ishur</i>	אישור
Brief	<i>taksir</i>	תקציר
Case/file	<i>tik</i>	תיק
Charge	<i>ishum</i>	אישום
Charge Sheet	<i>gilion ishum</i>	גיליון אישום
Civil Legislation	<i>hakika ezrachit</i>	חקיקה אזרחית
Claim	<i>teviya</i>	תביעה
Contract	<i>hozeh</i>	חוזה
Damages	<i>pitzuim</i>	פיצויים
Guilty	<i>ashem</i>	אשם
Identity Card	<i>te'udat zehut</i>	תעודת זהות



Immigrant's Certificate	<i>te'udat oleh</i>	תעודת עולה
Indictment	<i>ishum</i>	אישום
Innocent	<i>chaf mipesha</i>	חף מפשע
Law	<i>din/hok</i>	דין/חוק
Lawsuit	<i>teviya mishpatit</i>	תביעה משפטית
Legislation	<i>hakika</i>	חקיקה
Procedure	<i>halich</i>	הליך
Ruling	<i>psika</i>	פסיקה
Sentence	<i>gzar din</i>	גזר דין
Subpoena	<i>tzav hityatzvut ledin</i>	צו התייצבות לדין
Trial	<i>mishpat</i>	משפט
Verdict	<i>psak din</i>	פסק דין

Useful Addresses And Telephone Numbers



Telephone numbers and some addresses change frequently in Israel. Consult the latest telephone directory or the information operator if you do not reach the number listed here. When a number has been changed there may not be a recorded message noting the change. Thus, if the number continues to be unanswered, check whether it is still in use.

Address	Telephone/Fax
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Ministry of Immigrant Absorption

Selected list

www.moia.gov.il

E-mail: info@moia.gov.il

Main Office

2 Rehov Kaplan
Kiryat Ben Gurion
POB 13061
Jerusalem 91130

Public Inquiries	(02) 6752765
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National Telephone Information Center	(03) 9733333
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Address	Telephone/Fax
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**Jerusalem and Southern District
Headquarters**

(Also the Student Authority)

15 Rehov Hillel
Jerusalem 94581

(02) 6214555
Fax: (02) 6222807

Publications Department

15 Rehov Hillel
Jerusalem 94581

Tel/Fax: (02) 6241585

Haifa and Northern District Headquarters

(Also the Student Authority)

15 Sderot HaPalyam
Haifa 33095

(04) 8631111
Fax: (04) 8631110

Tel Aviv and Central District Headquarters

(Also the Student Authority)

6 Rehov Esther HaMalka
Tel Aviv 64398

(03) 5209111
Fax: (03) 5209173

Beer Sheva and Negev District Headquarters

(Also the Student Authority)

31 Rehov Zalman Shazar
Beit Oshira

(08) 6261231
Fax: (08) 6261219

**The Central Committee
of the Israel Bar**

www.israelbar.org.il
mitmahim@israelbar.org.il

1 Rehov Chopin
Jerusalem 92190

(02) 5660271



Address

Telephone/Fax

English-Speaking Immigrant Organizations

Association of Americans and Canadians in Israel (AACI)

www.aaci.org.il

E-mail: info@aaci.org.il

6 Rehov Mane

(02) 5617151

Jerusalem 92227

Fax: (02) 5661186

76 Rehov Ibn Gvirol

(03) 6965244/65/6/7

POB 16266

Fax: (03) 6967049

Tel Aviv 61162

28 Rehov Shmuel HaNatziv

(09) 8330950

Netanya 42281

Fax: (09) 8629183

Matnas "Yud Aleph"

(08) 6433953

Rehov Mordechai Namir

(08) 6434461

Beer Sheva 84483

UJIA Israel (Incorporating Olim from Britain, Australia, and New Zealand)

76 Rehov Ibn Gvirol

(03) 6965244/65/6/7

POB 16266

Fax: (03) 6967049

Tel Aviv 61162

E-mail: Israel@UJIA.org.il

6 Rehov Mane

(02) 5617151

Jerusalem 92227

Fax: (02) 5661186

E-mail: jerusalem@ujia.org.il

Mercaz Klita

(04) 9904232

P.O.B. 348

Carmiel

E-mail: karmiel@ujia.org.il



Lawyers

Address

Telephone/Fax

South African Zionist Federation

www.telfed.org.il

E-mail: telfed@inter.net.il

Head Office

(09) 7446110

19/3 Rehov Schwartz

Fax: (09) 7446112

First Floor

Ra'ananna 43212

13 Sderot Ben Maimon

(02) 5634822

Jerusalem 92223

Fax: (02) 5663193

ESRA – English Speaking

Residents Association

esra@trendline.co.il

www.esra.org.il

(09) 9580632

POB 3132

Fax: (09) 9581583

Herzliya 46104



Other Available Publications

The following booklets are available from the Publications Department. To order, simply indicate the booklets you wish to receive and return the order form to the Publications Department, English Section, Ministry of Immigrant Absorption, 15 Rehov Hillel, Jerusalem 94581. The publications will be mailed to you free of charge.

- Guide for the New Immigrant
- The Absorption Basket
- Employment
- Employment Guidance Centers
- Education
- First Steps
- Guarding Your Health in Israel
- A Guide to Services for the Disabled
- A Guide to Transportation in Israel
- A Guide to Ulpan Study
- Health Services in Israel
- Housing
- The Life Cycle in Israel
- Military Service
- National Insurance Institute
- Retirees
- Accountants
- Artists, Writers, and Athletes
- Computer and Hi-Tech Professionals
- Engineers and Architects
- Lawyers
- Medical Professionals
- Nurses
- Psychologists
- Scientists and Researchers
- Social Workers
- Teachers
- Assistance to Victims of Enemy Actions
- Registering for a Health Fund
- ConsumerFocus Magazine
- Information for Olim Newspaper
- Shiluv Magazine

Name _____

Address _____

Postal Code _____

Date _____





A moment of your time!

In order to improve the level and usefulness of the material presented in this booklet, we would appreciate it if you would answer the following questions:

1. Where did you get the brochure "Lawyers?"

- Airport Ministry of Immigrant Absorption
 Other (specify) _____

2. To what extent did this booklet provide you with the information that you needed? (1 is the lowest rating, 5 is the highest rating)

1 2 3 4 5 Comments _____

5. Please rate the following areas from 1 to 5 (5 being the highest rating)

- Clarity of the Text 1 2 3 4 5
 Sufficiency of Details 1 2 3 4 5
 Design of the Brochure 1 2 3 4 5
 Usefulness of the Brochure 1 2 3 4 5

We would appreciate the following information for statistical purposes:

Profession _____ Gender M F Age _____
Country of Origin _____ Year of Aliyah _____
Place of Residence _____ Date _____

Please send the completed questionnaire to the Ministry of Immigrant Absorption, Publications Department, English Section, 15 Rehov Hillel, Jerusalem, 94581, or by fax to (02) 6241585. You can also place this questionnaire in the public suggestions box at an office of the Ministry of Immigrant Absorption nearest you.

Thank you for your cooperation. Best wishes for an easy and successful absorption!

