



## Shehecheyanu on Winning a Court Case

לעילוי נשמת  
יואל אפרים בן אברהם עוזיאל זלצמן ז"ל

**Question:** As a lawyer, it is clear to me that a client who wins a court case should recite *Shehecheyanu*, and one who loses should recite *Dayan Ha'emet*. After all, a court victory is truly good news and involves much more money than a suit! Am I correct?

**Answer:** There are different types of triggers for *Shehecheyanu*: cyclical *mitzvot*, holidays, and fruit (Shulchan Aruch, Orach Chayim 225); acquisitions of significant objects (ibid. 223); finding out good news (mainly, ibid. 222). In your question, you use the latter two interchangeably; we will separate them.

The parameters of acquiring a house or “important” clothing or furniture are quite defined, and when they are met, one does not need to be overjoyed for *Shehecheyanu* to be called for (it applies even when one pays top dollar). We do not say *Dayan Ha'emet* when such items are lost or broken. A court award rarely meets the classic parameters.

Because good news (ibid. 222:1) and bad news (ibid. 2) are very broad, the *beracha* trigger must elicit strong feelings. Most types of *Shehecheyanu*, according to most, are not obligations, but are voluntary and

recommended when applicable (see Rama, OC 223:1; Mishna Berura 223:7). In cases where it is unclear whether they are warranted, most *poskim* (see Mishna Berura 223:12) apply *safek berachot l'hakel* (refrain when in doubt); some say it does not apply to such a subjective *beracha* when one feels the urge to recite it (see Tzitz Eliezer XIV:67). The above may explain what the Mishna Berura reports – most people do not make *berachot* over good and bad news. (The *minhag* is that one recites *Dayan Ha'emet* as a full *beracha* only for the death of a close relative – see Mishna Berura 223:8).

One could solve *beracha l'vatala* questions by combining it with a *Shehecheyanu* on clothing (Shulchan Aruch, OC 600:2) or by omitting Hashem's Name. However, people have the right and maybe should (see Mishna Berura ibid.) make the *berachot* according to the opinions that when there is true happiness from good news (and sadness from bad), one makes a full *beracha*. This can include a variety of significant financial events (see Mishna Berura 222:1). However, your clients should be consistent. Take a real estate agent who does not make *Shehecheyanu* when he makes a sale. Should he recite it only when his fee was questioned, and he wins the same amount

The Orthodox Union - via its website - fields questions of all types in areas of kashrut, Jewish law and values. Some of them are answered by Eretz Hemdah, the Institute for Advanced Jewish Studies, Jerusalem, headed by Rav Yosef Carmel and Rav Moshe Ehrenreich, founded by HaRav Shaul Yisraeli zt"l, to prepare rabbanim and dayanim to serve the National Religious community in Israel and abroad. Ask the Rabbi is a joint venture of the OU, Yerushalayim Network, Eretz Hemdah... and OU Israel's Torah Tidbits.



of money in adjudication?! In fact, as a *dayan*, I see several reasons why a ruling in adjudication should not bring on *Shehecheyanu* or *Dayan Ha'emet*.

Many rule not to recite *Shehecheyanu* on a fruit that was grown in a forbidden manner (see Yabia Omer V, OC 19) – that is not supposed to make you happy. Adjudication at times includes *aveirot*, e.g., going to a secular court; lying or misrepresentation; improperly insulting one's "opponent." If one thereby received money he did not deserve, there should not be a *beracha*. If one lost the case, he should usually assume he deserved to lose, in which case *Dayan Ha'emet* is not appropriate, as he did not really lose anything.

In cases where one side is clearly right, the ruling reveals the obvious; it is likely different from the Mishna Berura's (ibid.) retrieving property from a thief. If both sides have strong logic, making the ruling significant, one could factor in that his good fortune is at the expense of another, who is now upset (compare to the Ra'avya, Shabbat 289, who says not to make *Shehecheyanu* at a *brit* because of the baby's pain).

There are other complications. In many cases, rulings include elements of winning and losing for both sides. Also, timing is not simple, considering that one: receives a ruling, there is time for appeal, and receiving payment can be a process (see Aruch Hashulchan, OC 223:4 on not making

*Shehecheyanu* at a wedding).

I have not seen classical *poskim* suggest these *berachot* for adjudication, and the *minhag* is not to do so. Finding a different way to thank Hashem, and contemplating how to be a most moral litigant or not be one at all, may be wiser than solving a halachic doubt by including a new suit. ■

## Having a dispute?



For a Din Torah in English or Hebrew contact 'Eretz Hemdah - Gazit' Rabbinical Court:  
077-215-8-215 • fax: (02) 537-9626  
beitdin@eretzhemdah.org

### "SEASCAPE SERENITY: FIND YOUR COASTAL DREAM!"



Sun, Sand, and Splendor: Your New Beachside Home Awaits!

#### Nahariya, IL 1.8M NIS 4 BEDROOMS



18th fl. apartment in a project finishing in June 2026. 2 Parking Spots, Storage Room, 125 sqm Apt. + 21 sqm Large Porch. There are 3 Elevators including a Shabbat Elevator.

#### Nth. Netanya, IL 3.3M NIS 3 BEDROOMS



12th fl. apartment in a project finishing in June 2025. 1 Parking Spot, Storage Room, 103 sqm Apt. + 16 sqm Large Porch. With a Shabbat Elevator. Minutes away from the beach and shopping, shuls, and much more.

#### Bat Yam, IL 3.64M NIS 3 BEDROOMS



13th fl. apartment in a project finishing in June 2027. 1 Parking Spot, Storage Room, 107 sqm Apt. + 12 sqm Large Porch. There are high-speed elevators including a Shabbat Elevator. Minutes from the beach & new Light Rail stop.

#### Ashkelon, IL 3.25M NIS 4 BEDROOMS



7th-floor apartment in a project finishing in June 2024. 2 Parking Spots, Storage Room, 126 sqm Apt. + 21 sqm Large Porch. There are 3 Elevators including a Shabbat Elevator. Minutes away from the Ashkelon Marina

IZZY LEIZEROWITZ IL 972.52.682.9367 USA 786.385.8859  
Broker Fee: 2% + VAT www.keteradvisors.com