

May a Jewish Lawyer Represent a Jew in Secular Court?

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Question: There are many frum lawyers today. If one Jew is going against halacha and taking another to a secular court, would a Jewish lawyer be allowed to represent him?

Answer: Sefer Seder Hadin cites Teshuvos Yechaveh Daas as forbidding a Jewish lawyer from representing a Jew in secular court because he is helping his client do an *aveirah*. Obviously, this only applies if the lawyer is representing the plaintiff. If he is representing a defendant who is being brought to court against his will, he isn't doing anything wrong. It would seem that according to the Yechaveh Daas, if the client is not religious, it might be permitted for a frum lawyer to represent him. This is because there is a *machlokes* if one is permitted to assist a Jew who is doing an *aveirah* if the person would be able to do it anyway, even without your assistance. In this case, the non-religious Jew would go to a secular court whether or not this lawyer represents him; therefore, at least according to one opinion, the lawyer is not helping him to do an *aveirah*. Still and all, a frum lawyer should avoid taking such a case. In addition to the problem mentioned by the Yacheveh Daas, when a Jew goes to *arkaos*, rather than *bais din*, it is considered to be a terrible *chillul Hashem*. One who abets this process is guilty of being part of this *chillul Hashem*, which would mean that a frum lawyer should try not to be part of it at all.