

Curriculum Vitae (September 2022)

General

Name: Prof. Yehezkel (Hezi) Margalit	Mobile: 347-331-6551
Date of Birth: 9 April 1974	Tel.: 3473266137
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Education

- 2006-2010 Doctoral research in the Faculty of Law, Bar-Ilan University, supervised by Prof. Shahar Lifshitz. Thesis subject: “Determining Legal Parentage by Agreement”.
President’s Scholarship, a 3 year award for an exceptional Ph.D. candidate, Bar-Ilan University.
- 2005-2006 M.A. thesis entitled: “Public Regulation and Private Agreement of Spousal Conjugal Privileges in Jewish Law” Supervised by Prof. Berachiya Lifshitz and Prof. Shahar Lifshitz, cum laude (final grade: 97).
Training for communal rabbinate, Rothschild Fund and the Institute for Higher Jewish Studies, Bar-Ilan University.
Licensed Attorney, Israel Bar Association.
- 2005 Arbitration Studies, Israeli Center for Negotiation and Mediation (ICNM)
- 2000-2003 Direct M.A. track – B.A. followed by M.A. cum laude, Faculty of Law, Bar-Ilan University.
- 2000-2002 B.A. studies in the Department of Talmud and Oral Law (completed cum laude), Bar-Ilan University.
- 1998-2001 Rabbinic studies leading to ordination as a Rabbi, under the auspices of the Chief Rabbinate of Israel.
- 1996-1999 Studies towards a Teaching Diploma
- 1990-1992 Graduate of the Yeshiva High School Midrashiat Noam, specializing in sciences and computers. Advanced studies in English, physics, mathematics, and computers.

Experience

- 2022 - Associate professor.
- 2016 - Senior Lecturer on Family Law and Contract Law, Netanya Academic College.
- 2013 - Adjunct lecturer on Family Law and Contract Law, Tel-Aviv and Bar-Ilan Universities and Netanya Academic College.
Adjunct lecturer on Health Ethics, Faculty of Health Professions, Ono Academic College.
- 2011-2012 Visiting Research Scholar, New York University Law School.
- 2010-2011 Researcher in the Gertner Institute for Epidemiology and Health Policy Research, Israeli Health Ministry.
Lecturer on "Legal & Bioethics Dilemmas at the Beginning of the Life", Bar-Ilan University.
- 2009-2010 Vice Chairman of the Commercial Law Center, Faculty of Law, Bar-Ilan University.
- 2008-2010 Researcher at the Center for Health Law and Bioethics, Ono Academic College, in partnership with Dr. Gil Siegal.
Research Associate: *Agunah* Research Unit, Centre for Jewish Studies, University of Manchester. (In Jewish Law [*halacha*], an *agunah* is a women "chained" to a missing or uncooperative husband).
Member of the Publication Committee of the international Jewish Law Association
- 2007 Joint Lecturer on "Modern Biology and its Ethical Challenges" in the course of study in Bioethics at Bar-Ilan University.
- 2007-2009 Deputy editor of a journal on Health Law and Bioethics.
- 2003-2004 Y. Gurnitzki & Co., Attorneys at Law and Notaries.
Legal intern, supervised by Atty. Daphne Talgam (Gurnitzki).
Worked in various commercial and civil legal branches, including: real estate, contracts, companies, monopolies, ecology, and litigation.
Preparatory training in the International Department, dealing with B.O.O. and B.O.T. transactions.
- 1998 Teacher, Fuchs Beit Sefer Mizrachi, Cleveland, Ohio, U.S.A.
- 1997 Teacher and educator in Military School 'Or-Ezion'.

Voluntary and Social Activities

- 1998 Zionist emissary sent by the Jewish Agency and Igud Yeshivot

Hesder to the Jewish community in Cleveland, U.S.A.

Volunteer in the youth Movement 'Yachad', which aids disabled children and children with learning disabilities.

Youth leader for the National Council of Synagogue Youth.

1991 Youth leader in a youth movement.

Army Service

Lecturer in the IDF Rabbinate Lecturer's Dept., on Family and Marital Relations.

Service at the Gush Eziyon Hesder Yeshiva – Teacher and educator in the pre-military school Or Ezion, Chaplain.

Investigative officer in a unit for identifying corpses.

Languages

Hebrew – Mother tongue.

English – High level.

Congresses and Lectures

1. Lecture on, "From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status", the Tenth conference in the Obligations series, that will be held in Banff, Canada 2023 (forthcoming).
2. Lecture on, "From Roe v. Wade to Dobbs v. Jackson – Between Women's Rights Discourse and Obligations Discourse", "From Roe v. Wade to Dobbs v. Jackson – Modern and Interfaith Perspectives", Netanya Academic College, 13.9.22.
3. Lecture on, "Between the Unborn Child's Rights and His Intending Parents' Rights and Between the Patient's Rights Law and Contract and Negligence Laws", The Israeli Contract Forum, Bar-Ilan University, 28.6.22 (with Benjamin Shmueli).

4. Lecture on, "From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status", the Association for Israel Studies, Bar-Ilan University, 27.6.22.
5. Lecture on, "Between the Unborn Child's Rights and His Intending Parents' Rights and Between the Patient's Rights Law and Contract and Negligence Laws", The Israeli Association of Private Law, Achva Academic College, 19.6.22 (with Benjamin Shmueli).
6. Lecture on, "From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status", The Law & Society Conference, Peres Academic Center, 02.06.22.
7. Lecture on, "Legal Parenthood - Law and Justice", The Israeli Family Judges' Forum, Jerusalem, Israel, 21.2.22.
8. Lecture on, "The "Jurisdiction Race" is Fading or Alive and Kicking? - Concluding Remarks", The "Jurisdiction Race" is Fading or Alive and Kicking?", Netanya Academic College, 11.1.22.
9. Lecture on, "Between the Unborn Child's Rights and His Intending Parents' Rights and Between the Patient's Rights Law and Contract and Negligence Laws", Haifa University, Israel, 7.12.21.
10. Lecture on, "From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status", the Israeli Contract Forum, Zefat Academic College, Israel, 20.6.21.
11. Lecture on, "From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status", the Bar-Ilan University's Interdisciplinary Research Group on the Ethics of Cryopreserved Fertilized Embryos, 19.5.21.
12. Lecture on, "Contracts with Known Sperm Donors", The Israeli Association of Private Law, The Hebrew University, 9.6.20.
13. Lecture on, "Contracts with Known Sperm Donors", The Israeli Contract Law Association Conference, College of Law & Business in Ramat-Gan, 5.2.20.

14. Lecture on, "Frozen Embryos – The Jewish Perspective", Frozen Embryos in Israel, The Van Leer Jerusalem Institute, 14.12.19.
15. Lecture on, "Baby M(anji), Baby Gammy and Beyond: Preserving the BIC in International Surrogacy Agreements", ISFL Regional Conference in Israel: Children's Rights and Interests, The Academic Center for Law and Science, Hod Hasharon Israel, 9-10.12.19.
16. Lecture on, "Bargaining in the Shadow of *Get* Refusal: How Modern Contract Doctrines Can Alleviate This Problem", The Third International *Agunah* Summit, Fordham University, N.Y., 14-15.06.18.
17. Lecture on, "The Jewish Family – Between Family Law and Contract Law" – Concluding Remarks", Netanya Academic College, 14.03.18.
18. Lecture on, "Dying to be a Father", Sperm Banks in Israel: Medical, Legal, and Bioethical Aspects, Netanya Academic College, 20.02.18.
19. Lecture on, "From the Tender Years Doctrine to the Approximation Rule – Between Family Law and Contract Law", Netanya Academic College, 07.11.17.
20. Lecture on, "About the Appropriate Normative Limits on the Use of the Will of the Deceased to Reproduce after his Death", The Law & Society Conference, Netanya Academic College, 06.02.17.
21. Lecture on, "Legal Parenthood - Law and Justice", 20 Years to the Israeli Surrogacy Regulation, Netanya Academic College, 07.04.16.
22. Lecture on, "From Baby M to Baby M(anji): Regulating International Surrogacy Agreements", The Israeli Association of Private Law, Bar-Ilan University, 15.03.16.
23. Lecture on, "Parenthood: Legal, Society, State and *Halakhah*", The Law & Society Conference, The Hebrew University, 01.02.16.
24. Lecture on, "On Parent-Child Relationship, Contracts and Between Them", The Law & Society Conference, The Hebrew University, 01.02.16.

25. Lecture on, "Regulating International Surrogacy Agreements", "Families-in-Law: Setting New Agendas" International Symposium, Radzyner Law School at IDC Herzliya, 17.12.15.
26. Lecture on, "Baby M(anji), Baby Gammy and Beyond: Preserving the BIC in International Surrogacy Agreements", 8th International Symposium on the Jurisprudence of the Family, 9-10.6.15.
27. Lecture on, "Israel and Surrogacy", IAML London Surrogacy Symposium, 17-19 2015.
28. Lecture on, "In Defense of International Surrogacy Agreements: the Israeli perspective", 10th World Conference on Bioethics, Medical Ethics & Health Law 2015, 7.1.15.
29. Lecture on, "In Defense of International Surrogacy Agreements", the ISFL Israel Conference 2014, 2-3.1.14.
30. Lecture on, "Scarce Medical Resources? - Procreation Rights in a Jewish and Democratic State", "To Be A Mother?!", The College of Management Academic Studies, 23.5.13
31. Lecture on, "Brave New Reprogenetics Ethical Challenges" (with Dr. John Loike from Columbia University), the Israeli National Forum for Genetics, Ethics and Law at Gertner Institute for Epidemiology and Health Policy Research, Israeli Health Ministry, 18.02.13.
32. Lecture on, "Three Fathers and Four Mothers...On the Challenge of Establishing Legal Parentage in a Changing Reality", International Conference, Bar-Ilan University, 4.1.11.
33. Lecture on, "The Limits of Authority in Modern Halakhic Rulings", Nitzotzot Conference, Bar-Ilan University, 25.11.2010.
34. Lecture on, "Parenthood at any Price? – Halachic, Legal and Ethical Aspects of IVF", Annual Ono Academic College Conference, August 2009.

35. Lecture on, “‘Freedom of Contract’ in Halachic Family Law? – A Comparison of the Babylonian Talmud and the Palestinian Talmud”, The Fifteenth World Congress, The Jewish Law Association, June 2008.
36. Lecture on, “Two Aspects of the Right to Grow Old Gracefully”, a study day in memory of Ya’akov and Peninah Herzog, together with Yad Sarah and Hadassah, on “The Rights of the Patient in Law and Halachah”, June 2007.
37. Lecture on, “On the Dispositive Foundations of the Obligation of Spousal Conjugal Relations in Jewish Law”, The fourteenth international conference of the Jewish Law Association, Bar-Ilan University, June 2006.

Publications

Books

- DETERMINING LEGAL PARENTAGE BY AGREEMENT (Nevo Press, 2023) (Heb.) (forthcoming).
- PARENT-CHILD RELATIONSHIPS - BETWEEN FAMILY LAW AND CONTRACT LAW (Bar-Ilan University Press, 2022) (Heb.) (forthcoming).
- DETERMINING LEGAL PARENTAGE - BETWEEN FAMILY LAW AND CONTRACT LAW (2019).
- THE JEWISH FAMILY – BETWEEN FAMILY LAW AND CONTRACT LAW (2017).

Articles

- Yehezkel Margalit & Pnina Lifshitz-Aviram, *From Roe v. Wade to Dobbs v. Jackson – Between Women's Rights Discourse and Obligations Discourse*, HEALTH MATRIX 33 (2023) (forthcoming).
- *From (Moral) Status (Of the Frozen Embryo) To (Relational) Contract and Back Again to (Relational Moral) Status*, INDIANA HEALTH LAW REVIEW XX (2023) (forthcoming).
- Benjamin Shmueli & Yehezkel Margalit, *Between the Unborn Child's Rights and His Intending Parents' Rights and Between the Patient's Rights Law and Contract and Negligence Laws*, MISHPAT UMIMSHAL (2023) (forthcoming) (Heb.).
- Avishalom Westreich & Yehezkel Margalit, *Ketubbah Payment and Property Distribution: The "No Double Discount" Practice in Israeli Rabbinical Courts*, in THE MEMORIAL BOOK OF MIRYAM NAOR (Aharon Barak et al eds., 2022) (forthcoming) (Heb.).
- *Determining Halakhic Parenthood - Between Family Law and Contract Law*, in THE MEMORIAL BOOK OF YAAKOV NEEMAN (Aharon Barak et al eds., 2022) (forthcoming) (Heb.).
- *The "New" Families, the Freedom of Inheritance and Between Them*, 27 LAW & BUSINESS 31 (2022) (Heb.).

- "Paternity Fraud" and Known Sperm Donors - Towards A New Archimedean Point of Serving the Best Interests of Child and Men's Rights, 16 HAIFA LAW REVIEW 95 (2022) (forthcoming) (Heb.).
- *From the Tender Years Doctrine to the Approximation Rule – Between Family Law and Contract Law*, 15 HAIFA LAW REVIEW 15 (2021) (Heb.).
- *Dying to be a Father - About the Appropriate Normative Limits on the Use of the Will of the Deceased to Reproduce after his Death*, 24 LAW & BUSINESS 223 (2021) (Heb.).
- *Truth and Stability - Is Truth Preferable? Revisiting the Dilemmas Concerning Paternity Testing of Minors in Israel* 16 HUKIM LAW REVIEW 9 (2021) (Heb.).
- *Bargaining in the Shadow of Get Refusal: How Modern Contract Doctrines Can Alleviate This Problem*, 36 OHIO STATE JOURNAL ON DISPUTE RESOLUTION 153 (2020).
- Yehezkel Margalit & Pnina Lifshitz-Aviram, *Towards A New Archimedean Point of Maternal vs. Fetal Rights?* 81 LOUISIANA LAW REVIEW 447 (2020).
- Roy Gilbar & Yehezkel Margalit, *On the Family, Medicine and the Law Between Them*, 13 NETANYA ACADEMIC COLLEGE LAW REVIEW 37 (2020) (Heb.).
- *The Rise, Fall and Rise Again of the "Presumed" Will of the Deceased to Reproduce After his Death?*, 13 NETANYA ACADEMIC COLLEGE LAW REVIEW 89 (2020) (Heb.).
- *Legal Parenthood - Law and Justice*, 47 HEBREW UNIVERSITY LAW REVIEW 131 (2018) (Heb.).
- *Towards Establishing Parenthood by Agreement in Jewish Law*, 26(2) AMERICAN UNIVERSITY JOURNAL OF GENDER, SOCIAL POLICY & THE LAW 647 (2018).
- *"Temporary Marriage – A Comparison of the Jewish and Islamic Conception*, 33(1) JOURNAL OF LAW AND RELIGION 89 (2018).
- *From Baby M to Baby M(anji): Regulating International Surrogacy Agreements*, 24(1) JOURNAL OF LAW & POLICY 41 (2016).
- *Bridging the Gap Between Intent and Status: A New Framework for Modern Parentage*, 15(1) WHITTIER JOURNAL OF CHILD AND FAMILY ADVOCACY 1 (2016).

- *Artificial Insemination from Donor (AID) – From Status to Contract and Back Again?*, 21(1) BOSTON UNIVERSITY JOURNAL OF SCIENCE & TECHNOLOGY LAW 69 (2015).
- Yehezkel Margalit & John Loike, *The New Frontier of Advanced Reproductive Technology: Reevaluating Modern Legal Parenthood*, 37 HARVARD JOURNAL OF LAW AND GENDER 107 (2014).
- *In Defense of Surrogacy Agreements: A Modern Contract Law Perspective*, 20 WILLIAM & MARY JOURNAL OF WOMEN AND THE LAW 423 (2014) (was accepted also to DUKE JOURNAL OF GENDER LAW AND POLICY).
- *Scarce Medical Resources – Parenthood at Every Age, In Every Case and Subsidized By the State?*, 9 NETANYA ACADEMIC COLLEGE LAW REVIEW 191 (2014) (Heb.).
- *Freedom of Contract in Regulating Spousal Conjugal Relations in Jewish Law*, 6-7 FAMILY IN ACTION 505 (2013-4) (Heb.).
- *Intentional Parenthood: A Solution to the Plight of Same-Sex Partners Striving for Legal Recognition as Parents*, 12 WHITTIER JOURNAL OF CHILD AND FAMILY ADVOCACY 39 (2013).
- *To Be or Not to Be (A Parent)? - Not Precisely the Question; the Frozen Embryo Dispute*, 18 CARDOZO J. L. & GENDER 355 (2012), was reprinted in MINNESOTA FAMILY LAW JOURNAL (2012).
- *Towards Determining Legal Parentage by Agreement in Israel*, 42 HEBREW UNIVERSITY LAW REVIEW 835 (2012) (Heb.).
- *Determining Legal Parenthood by Agreement as a Possible Solution to the Challenges of the New Era*, 5 HAIFA LAW REVIEW 553 (2012) (Heb.).
- *'Freedom of Contract' in Halachic Family Law? – A Comparison of the Babylonian Talmud and the Palestinian Talmud*, 25 BAR-ILAN LAW REVIEW 803 (2010) (Heb.).
- *The Rise, Fall and Rise Again of the Genetic Foundation for Legal Parentage Determination*, 3 JOURNAL OF HEALTH LAW AND BIOETHICS 125 (2010) (Heb.).

Other publications

- *Abortion*, in MARRIAGE AND DIVORCE IN AMERICA: ISSUES, TRENDS, AND CONTROVERSIES (forthcoming, Jaimee L. Hartenstein ed., 2023).
- *'Freedom of Contract' in Halachic Family Law? – A Comparison of the Babylonian Talmud and the Palestinian Talmud*, XX JLAS 119 (2010).
- *On the Dispositive Foundations of the Obligation of Spousal Conjugal Relations in Jewish Law*, XVIII JLAS 164 (2008).

Work under evaluation

Articles

- *Nonmarital Parenthood – Towards the Completion of the Marriage Equality Revolution*

You can access my papers on the Social Science Research Network (SSRN) at <http://ssrn.com/author=781243>.