

PRUZBUL FORM

Instructions for Pruzbul Form

Laws of Pruzbul (see Choshen Mishpat, Siman 67):

1. At the end of the seventh year of the Sh'mitah cycle, all loans are nullified, including credit agreements and wage agreements that have been converted to loan agreements. (As the guidelines regarding rental agreements that have been converted to loan agreements are complex, it is best to make a Pruzbul in such cases.)

2. One who wishes to collect his loans after the Sh'mitah year must make a Pruzbul before the time that the loans are nullified (i.e. the end of the Sh'mitah year). Typically this is done during the month of Elul, usually shortly before Rosh Hashannah if it wasn't done earlier.

The lender asks three men to sit as judges on a Beit Din. (The individuals must be Torah observant men who are not related to one another, to the lender or to the borrower.) The lender declares before them: "I submit to you judges in this place all of the loans that I have outstanding, and I therefore may collect these loans at any time that I desire." The lender then fills in the Pruzbul form attached as evidence that he made a Pruzbul.

4. One may make one Pruzbul for all of the loans past due that he has extended. Therefore, the name of the borrower is omitted from the Pruzbul forms.

5. The borrower must have (even through "sekhirut") a lien on some amount of land on which the Pruzbul can attach a lien, even a small amount of land. If one suspects that the borrower has no land, the lender may "sell" land to the borrower from his own land. This is accomplished by one of the judges (or witnesses) handing a handkerchief to the lender by which all of the borrowers acquire a small amount of land from the lender.

6. The date that the Pruzbul is written must be recorded. The Pruzbul is effective for all loans made before that date. If one makes a loan after the date of the Pruzbul, a new Pruzbul must be written for that loan. If the lender suspects that he will not find suitable judges for a new Pruzbul, he should lend the money and stipulate that he cannot collect the money until the Third of Tishrei which is after the completion of the seventh year.

7. Both men and women are obligated to perform a Pruzbul. A married woman only needs to perform a Pruzbul if she has made loans with her separate assets.

8. If one writes a Pruzbul and it gets lost, he does not have to write a new Pruzbul to replace the lost one.

(בפני דיינים) שטר פרוזבול

בפנינו תלתא בי דינא כחדא הוינא בא לפנינו _____ ואמר לנו :
_____, מוסרני אני לכם _____,
שכל _____, הדיינים שבמקום _____ ו
חוב שיש לי בין בשטר ובין בעל פה שאגבנו כל זמן שארצה.
ואנחנו בית דין שמענו דבריו ופינו כחו דלא תשמט לי ויגבה כל חובותיו על ידי פרוזבול כתקנת זה
הלל וחז"ל

פה ב _____ . ובאנו על החתום היום

דיין _____ נאום :

דיין _____ נאום :

דיין _____ נאום :

PRUZBUL FORM BEFORE A BET DIN (ENGLISH)

In the presence of the undersigned three judges (dayanim), duly constituting a Bet Din, there appeared before us _____ who declared before us as follows:

“I hereby turn over to you judges [insert names] _____,
_____ and _____, in this place [insert
place name] _____ all of the debts owed to me, whether or not the debts are
evidenced in writing, so that I may therefore collect these debts at any time that I desire.”

We the undersigned Bet Din heard the declaration of the above-described person and have empowered such person to avoid having his (or her) debts canceled by Shmita and he (or she) may therefore collect all of his (or her) debts by virtue of this Pruzbul in accordance with the special enactment of Hillel and Chazal.

IN WITNESS WHEREOF, we hereby affix our signatures this _____ day of _____, 5768,
here in _____.

Signed: _____, dayan

Signed: _____, dayan

Signed: _____, dayan