

# The Schmooze

## Stories with a Yiddish Twist

### FROZEN EMBRYOS\* WHO GETS CUSTODY?

\*The Yiddish words for “frozen embryos” is “farfroyrn embryouz.”  
“Infertili” is the Yiddish word for “infertility”; “gibikat” means “fertility.”  
A “fertility specialist” is a “gibikayt mumkhe.”  
The Yiddish words for “Power of Attorney” are “makht fun advokat.”  
A divorced woman is “di grushe”; a divorced man is “der goyresh.”

*by*  
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**Syosset, New York**

We live in an age where one in five women will not have had children by their mid-40s.

In the Jewish tradition, the first commandment (“di mitsve”) given by God to Adam was, “Be fruitful and multiply.”

Today we see People magazine (“zhurnal”), Elle or the New York Times Magazine carrying stories of women and couples going to extremes (freezing eggs, pursuing 3-parent IVF and doing everything (“altsding”) in their utmost) to achieve motherhood or parenthood. We all know women who have faced the problem of infertility.

#### INFERTILITY IS:

- . Watching your husband playing with your friend’s baby and wishing you could give him one of his own.
- . Telling nurses to please take blood from your right arm because the veins in your left arm are all gone because of all the IVs you’ve had.

- . Avoiding people you haven't seen for a long time because you don't want to hear the question, "Do you have any kids yet?"
  - . Feeling very left out when your friends start comparing their pregnancy or childbirth experiences.
  - . Feeling like the whole town is pregnant except you.
  - . Getting tired of people always expecting you to do things because "you don't have any kids to worry about."
  - . Waking up in the middle of the night and wishing you could hear a baby cry.
  - . Wishing you could give your parents grandchildren.
  - . Wanting to fall apart if one other person says, "Why don't you adopt?" Easy, right?
  - . Sometimes avoiding friends who are pregnant or with newborns because you just can't handle the situation at that moment.
- Source: Dr. Aniruddha Malpani and Dr. Anjali Malpani,  
www.drmalani.com

According to Tirzah Meacham ("Jewish Women's Archive"), Israel has the highest proportion of fertility clinics per capita in the world. And Naomi Zeveloff (7/20/12) wrote: "Twenty years ago infertility was a taboo subject in Orthodox communities of Brooklyn. Local rabbis were suspicious of emerging reproductive technologies, and childless couples were left to navigate the secular world of fertility care on their own."

The Wall Street Journal, Law Blog (Nov. 19, 2015), contained this headline:

### JUDGE ORDERS DESTRUCTION OF DIVORCED COUPLE'S FROZEN EMBRYOS

Yes, there was a court battle between a divorced couple over the future of their frozen embryos. The attorney ("advocat") for the former husband, has accused the woman of using the dispute ("polemik") to get money.

The couple are NOT Jewish. Dr. Mimi Lee, 46, is a pianist and p/t anesthesiologist. He's a very wealthy man. ("Er ken dikh tsen mol koyfn un farkoyfn.") He can buy and sell you ten times over. Lee married Stephen Findley five years ago. Shortly after the wedding ("khasene"), Lee discovered that she had breast cancer ("brust rak").

There was the possibility that the disease ("di krankayt") would make it impossible for her to have children. So, the couple ("di por") went to a fertility center, where Lee's eggs and Findley's sperm created five embryos.

They are now frozen. Very smart. (“Klug vi der velt.”)

The couple had a written agreement that the embryos would be destroyed IF the couple divorced, but would go to Lee if Findley died. The wife said that she spent less than 10 minutes reading the consent form.

So, what happened? Findley filed for divorce (“der get”) two years ago and wants the embryos destroyed (“khruv”). Lee, who is now infertile, wants to implant the embryos into a surrogate and have a baby (“beybi”). It is understood that without the embryos she will never have a child who shares her genes/genetic makeup.

Lee has said that she would waive any future child support from Findley and rear the child alone.

They went to trial in San Francisco County Superior Court. During opening arguments, Findley’s lawyer accused Lee of blackmailing (“blakmeyl”) him. He contended that she “tried to get \$1 million to \$2 million per embryo” from him.” Note: The two had an extremely difficult divorce due to conflict over financial issues.

The results: A California judge ruled that a woman may not have a child using fertilized embryos frozen during a marriage to her ex-husband, who sought to block the pregnancy after the couple separated. This set a precedent in California. Judge Anne-Christine Masullo concluded that the facts in the case supported the ex-husband. This was an 82-page ruling.

A second case: CNN reported that Latino actress, Sofia Vergara, the 42-year-old star of the hit TV sitcom, “Modern Family,” split from businessman, Nick Loeb in May 2014. Loeb is suing Sofia for custody of the two embryos conceived through IVF in November of 2013.

Court papers allege the couple created the embryos while they were engaged and their plan was to eventually have children together.

On Modern Family, Vergara plays Gloria Delgado-Pritchett, an eccentric (“extsentrish”) and voluptuous (“zaftig” or sexily curvaceous) Columbian immigrant. Season 4, Jan. 17, 2013 episode: Sophia’s character, Gloria, gave birth to a baby boy. In the dramatic episode, Gloria begins to go into labor during a surprise party for her son, Manny.

Viewers wonder what it's going to be like for Jay to be going through this for the first time in 35 years. What is it going to be like to see this couple going through a very fundamental couple thing together?..And no more prosthetic baby bump. A sitcom make-believe birth is far from what she's dealing with now.

Vergara said [in 2013], "We just wanted to plan ahead. My boyfriend Nick is three years younger than me and he's never had a son. I have my son, Manolo, so it's not that important...You know, it's not like an emergency for me to have another kid. For Nick, yes, because he's never had a baby," Vergara said.

Vergara is now reportedly engaged to actor Joe Manganiello and is planning a wedding.

Dr. David Tourgeman, a fertility specialist, wrote, "Usually when embryos are created, whether the couple is married or just consenting adults, there's usually a power of attorney that is described to these embryos, if they are frozen for future use."

In most cases, the mother or the origin of the egg is give power of attorney, although anyone can make a request. If there's a disagreement, the courts usually get involved to decide who legally owns the embryos.

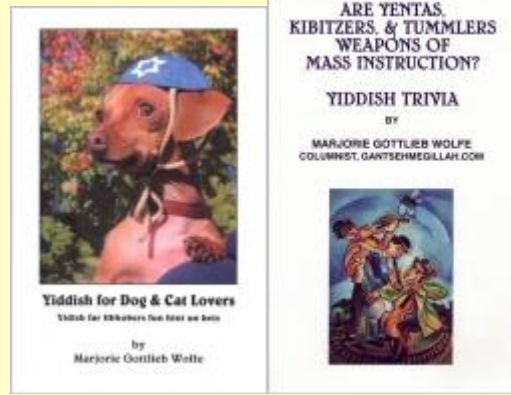
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MARJORIE WOLFE says, "Nakhes fun kinder iz tayere fun gelt."  
(Joy from children is more precious than money.) And her personal philosophy: "Each day of our lives we make deposits in the memory banks of our children." (Charles R. Swindoll)

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**Marjorie Gottlieb Wolfe is the author of  
two books:**



**"Yiddish for Dog & Cat Lovers" and  
"Are Yentas, Kibitzers, & Tumblers Weapons of Mass Instruction?  
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