

# THE MEDIATOR

Mediation Offices of Michael Becker, Esq.  
*Because Experience Matters*

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## It Happened Then

On October 22, 1976 the US FDA banned Red Dye No. 4, which, until recently, meant the end of the red M&M. The dye is still used in Canada.

## Quote Me on It

"What is there that forgiveness cannot achieve?"

*Vidura*

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## *Al and Tipper Ahead of the Curve:*

### Later-in-Life Divorce Increases

So many people were surprised when Al and Tipper Gore divorced after 40 years of a seemingly ideal marriage. But recent evidence indicates that this is a growing trend.

Divorce lawyers interviewed by [The New York Times](#) said that one of the fastest growing segments of their clientele is the middle-aged and elderly. And it isn't just a bunch of older men trading in their wives for younger ones. Rather, an AARP study found that women initiate later-in-life divorces more often than men. Most of these women found new partners if they wished.

Both men and women who divorce later in life do so for specific reasons, not impulsively. One big reason: it seems that no matter how accomplished they may be financially and/or socially, they find themselves stuck in an unfulfilling rut.

Typically, older women say that they have grown tired of caring for others while ignoring their own needs, and older men say that they tire of working to support spouses and children whom they feel don't appreciate them. And with increased life expectancies, both groups see fewer reasons to stay in their unhappy marriages.

## *Higher-Income Child Support:*

### CT Supreme Court Speaks

The Connecticut Supreme Court has ruled that the principles of the child support guidelines chart now apply to higher-income families.

To calculate child support, a family's net income is multiplied by a percentage rate shown on the chart for their income level. But the chart only gives percentage rates for incomes up to \$208,000. It had been thought that when family income exceeded \$208,000, the chart (and its percentages) did not necessarily apply.

Now, the Court has ruled that the percentage rates on the chart for incomes of \$208,000 are ordinarily the maximum percentage rates that can be applied to incomes over \$208,000.

To clarify: for incomes over \$208,000, the dollar amount of child support still increases as income increases. But the percentage rate used to calculate child support is now ordinarily capped at the percentage rate for incomes of \$208,000.

## Unusual Tax Advice: Better to Pay Now?

The conventional wisdom is usually that if a tax is due, it is better to pay it later than sooner. But such advice is being stood on its head this year because of the possible expiration of the Bush-era tax cuts.

These cuts lowered the Federal tax on long-term capital gains — profits from investments held more than one year — to 15%. If Congress fails to act shortly, this tax rate will automatically go back up to 20%.

So this creates an unusual decision for those holding profitable long-term investments which they plan on selling in the near future: sell now — and pay a tax now — or sell later and pay what many believe will be a higher tax later. This becomes especially crucial if the gain, and therefore the tax, would be large.

While every situation is different, some of the financial professionals interviewed for this newsletter are advising some clients to consider selling now to avoid higher taxes later.

## Tools & Tips

My office has for years maintained a fairly large lending library for clients. Often, we add books and videos to our collection on the suggestion of clients. Recently, a client suggested that I add The Intelligent Divorce by Mark Banschick to the collection, and I am glad I did. Clients love it, and for good reason.



This easy to read paperback offers solid, practical advice for parents of children going through divorce. One important early chapter addresses how, when and where to tell children about the divorce. Another chapter provides a very userfriendly primer on child development, and, most important, how to know whether a child is clearing developmental hurdles or instead regressing under the stress of the divorce.

I also like the helpful advice directly from parents and children about what worked for them in navigating their own divorces.

**Michael Becker, Esq.** is an attorney with an accounting degree and a Master's Degree in marriage and family therapy. He practices mediation full-time in Westport, CT. One of the most experienced mediators in our area, he is a founding Director and two-time President of the Connecticut Council for Divorce Mediation. Michael is an ACR Advanced Practitioner Member, and a James W. Cooper Fellow of the Connecticut Bar Foundation.

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