

THE MEDIATOR

Mediation Offices of Michael Becker
“Experience Matters”

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It Happened Then

In September 1789, the first Congress approves 12 amendments to the US Constitution and sends them to the states for ratification. They were influenced by the English Bill of Rights of 1689 as well as the Virginia Declaration of Rights, drafted by George Mason in 1776.

Quote Me on It

“How do you know if someone needs encouragement? If they are breathing.”

— *S. Truett Cathy*

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Retirement Savings Update: More Flexibility, More Plans?

In an effort to make retirement savings more attractive and expand enrollment, the government is expected to issue more flexible rules for retirement savings accounts like 401(k)s.

Regulators want to modify the current rule requiring withdrawals from retirement accounts beginning at age 70½ regardless of whether someone needs the money or not. This would allow savers who don't yet need the money to leave it in their retirement accounts, working for them longer. This is thought to be especially important given increasing life expectancies.

Rules making it easier for small business to band together to offer 401(k)s and similar plans are also thought to be afoot. This would enable them to enjoy some of the benefits larger employers have in setting up and running these plans. And this would likely expand access to these plans to employees of small businesses, which to date have typically not offered them.

Finally, regulators may allow retirement plans to start offering annuities, which provide guaranteed income for life, a feature attractive to many retirees.

Marriage Update: More Couples Live Apart

The Wall Street Journal reported that the number of married couples living apart has risen 44% since 2000, to almost 4 million.

A sizeable number of these couples do this for work. The numbers rise when partners are building their careers, and fall near retirement. Still others do so in midlife, so one partner can satisfy career ambitions, often after being home raising kids.

Technology also plays a role. Spouses living apart can text, call, email and FaceTime each other often, to share their lives and stay connected. Some couples even cook in tandem and watch movies together through technology.

Still, it's not ideal. Spouses reported having difficulty conveying emotions or resolving their differences from afar, as well as problems with intimacy.

Tax Stuff:

Alimony Deadline

Beginning with 2019, alimony payments will no longer be tax-deductible for payors nor taxable to recipients. This is a change from current rules.

Divorces completed before December 31, 2018 are grandfathered into the old rules, which allow alimony payors to deduct, and require recipients to pay tax on, alimony — even for payments made after 12/31/18. But professionals advising clients who want to qualify under the old rules disagree on how to complete a divorce by 12/31.

My read of the law is that that you need to have signed a separation agreement by 12/31/18, and can finalize the divorce in court in 2019. However, some advisors are telling clients who want to be absolutely sure that they will qualify under the old rules to both sign their separation agreement and finalize their divorce in court by December 31.

So I'd advise anyone who wants to qualify under the old rules to consult their tax/legal advisors for their advice before taking action.

Tools & Tips

For years I have recommended the book **How to Talk so Kids Will Listen & Listen so Kids Will Talk**, and still do today.

First published in 1980, it's still an excellent roadmap to help parents better connect with their kids. I especially like the exercises and thought-provoking questions sprinkled throughout the book. Parents have told me they help them to better 'plug into' their kids.



The authors also recognize that parenting is tough, discussing the stress and inevitable guilt parents feel, even under the best circumstances, and how, as a parent, craziness can turn to joy on a dime.

There's an excellent updated bibliography for parents seeking more information, and a touching section by one author's now-adult child reflecting back on her experience growing up as the child of a parenting guru.

Michael Becker is a Westport attorney mediator/individual & couples counselor who holds a law degree, a Master's Degree in marriage and family therapy, and a Bachelor's Degree in accounting. An ACR Advanced Practitioner and an APFM Advanced Mediator, Michael is one of the most experienced mediators in the area. He is also founding Director and twice President of the Connecticut Council for Nonadversarial Divorce, and a James W. Cooper Fellow of the CT Bar Foundation.