

THE MEDIATOR

Michael Becker, Attorney Mediator
Experience Matters

Winter 2022 Edition

It happened on...

January 13, 1995, when an America³ (say 'America Cubed'), an all female sailing team, easily wins the first race of the America's Cup defender trials. The Cup is like the World Series of yacht sailing competitions. Unfortunately, the team later lost the overall defender trials. To date, no all-woman team has ever won the Cup.

Quote me on it

"I'd rather be a failure at something I love than a success at something I hate."

— *George Burns*

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New Divorce Court Procedures

The Connecticut Judicial Branch is changing how it manages family cases. Through early intervention, the Branch hopes to (1) cut the number of court appearances per case, and (2) help parties resolve issues faster and more comprehensively. They call it "Pathways."

Under Pathways, when a case is first filed it is assigned a Resolution Plan Date (RPD). On the RPD, court personnel will work with parties and attorneys to identify (a) areas of agreement, (b) the likelihood of agreement on remaining issues, and (c) further court interventions.

The case is then placed onto one of three 'tracks', based on how

much future court intervention is expected. Then a judge sets a schedule for the case, which can include 'Case Dates,' settlement conferences, and, failing all else, trial.

On Case Dates, the court will take up issues that need attention before final resolution. It seems to me that this is to allow the court to manage cases (and its calendar) proactively by reducing the motions filed during cases. Some attorneys have told me that they don't completely agree with this approach.

The Judicial Branch's expectation is that this process will speed up family cases. Family cases can be thorny. So time will tell.

Family Finances - Involve Teens?

Even if major financial decisions impact all family members, do teens and young adults get a say? The Wall Street Journal reports that financial advisors differ.

Some advisors say yes, because doing so helps young adults to learn how to manage money earlier in life. Letting teens in on such decisions eases them into adulthood by helping them to understand resource limitations and ramification of different choices.

Others advisors disagree. Teens, they say, often inexperienced in making complex and usually difficult choices, can easily become overwhelmed. Also, young adults can't give truly valuable input without having 'skin in the game' — their own money at stake.

The good news is most advisors do agree that early financial education is best for kids. So over time, they'll become prepared to manage their own finances.

Backdoor to Roth IRAs

Designed to help the middle-class, Roth IRAs and Roth 401(k)s allow you to invest after-tax money that grows completely tax-free. Very cool.

Since they weren't intended for the wealthy, Roth IRAs aren't directly available to high earners. But high earners can convert non-deductible IRAs into Roth IRAs through the 'backdoor', to cut future taxes. And though Roth 401(k)s are available to high earners, with limitations, some use the 'mega back-door' to exceed the limitations and convert large sums to Roth 401(k)s to cut their future taxes.

After much press about these backdoors, Congress recently considered (1) limiting most Roth conversions and (2) no longer allowing high earners to contribute to Roths altogether.

So for higher earners, this issue bears careful watching. Even though the changes haven't become law, some high earners are now converting, or are considering converting, to Roths.

For advice related to your specific situation, it's best to consult with your tax professional.

Tools & Tips

After her divorce, Maggie Smith took to the internet to post some inspirational quotes.

People loved them. So she put together a book on the topic. In **Keep Moving: Notes on Loss, Creativity and Change**, Smith collects short

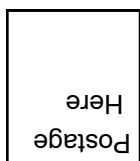


essays and quotes about surviving hard times and creating new beginnings. I recommend this book for clients and practitioners alike. It's in my waiting room lending library and circulates well.

When I first heard of Smith's book, I thought it might just be another 'don't worry, be happy' sort of offering. How wrong I was. The writings are truly reflective, thought-provoking, and often motivating. Many help readers to acknowledge and normalize their sadness/loss (a really important step), while others offer thoughts on getting through. Trite as this may seem to say, many moved me deeply.

It's a very easy read. Because it's a series of essays and quotes, you can keep it nearby and dip in and out as you wish.

Michael Becker, Attorney Mediator is the most experienced divorce mediator in Fairfield County CT. He holds a law degree, a Master's Degree in marriage and family therapy, and a Bachelor's Degree in accounting. An APFM Advanced Practitioner, Michael is also founding Director and twice President of the Connecticut Council for Non-Adversarial Divorce, and a James W. Cooper Fellow of the CT Bar Foundation. He has mediated divorces for almost 30 years in Westport, Connecticut.



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