

THE MEDIATOR

Mediation Offices of Michael Becker
Because Experience Matters

Fall 2014 Edition

It Happened Then

On October 3, 1863, President Abraham Lincoln declared that the fourth Thursday in November would be recognized as Thanksgiving Day.

Quote Me on It

"All paths lead nowhere.
Choose one with heart."

— Jonathan Lethem,
Bennington College,
2005 Commencement Address

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Coming to a Court Near You? Serving Papers on Facebook

Can you serve papers via social media? A New York court has recently said 'sometimes, yes', allowing service of legal papers using Facebook.

A divorced father trying to get his child support changed had tried more conventional means of providing his ex with legal notice of his request. Apparently, she had moved out of her home and left no forwarding address. He Googled her to no avail, and other relatives didn't return messages. But she did maintain an active Facebook page.

So the father asked a Staten Island Support Magistrate if he could use her Facebook account

to serve her. The Magistrate OK'd the request, agreeing that it was very difficult for the father to reach his ex through traditional means, and that the active Facebook account would work.

One of the first known uses of Facebook to serve papers happened in Australia. Since then, courts in the U.K., Canada and New Zealand — as well as in Virginia — have also OK'd this.

"There are people who only exist online," commented the Co-Chair of the American Bar Association's criminal justice cyber crimes committee, saying that this can be a useful tool to serve papers when other methods fail.

A Partner's Traits: Going from Attraction to Flaw

It's no secret that opposites attract. So, for example, an introvert might marry an extrovert, who might help him or her better navigate anxiety-provoking social situations.

But the at-first attractive 'opposite' trait can become a real problem over time (think: the same introvert who now wants to spend Saturday evening at home with the kids, but the extrovert still wants to socialize). And it usually

doesn't take long for these issues to arise, says Penn State University professor and researcher Diane Felmlee.

Felmlee recommends ways for partners to deal with this common relationship issue. One is for partners to remind themselves of the qualities that first attracted them to their mates — and how they still appreciate them. Another is considering how your partner provides balance in your life.

College Savings: **Grandparents' Trap?**

529 college savings accounts are a popular way to save for college — and for good reason. Once funds are deposited to a 529 account, they are never taxed again, if they are used for specific educational purposes such as tuition, mandatory fees, and some room and board costs. Some states also offer tax deductions for contributions, though the IRS doesn't.

Grandparents have figured out that 529s are a great way to help with their grandchildren's college costs. But this may cause problems for students receiving need-based financial aid.

This is because distributions from grandparents' 529s count as student income under the financial aid formula. So students who use this money (and then show this income) could see their assistance decrease the following year.

A way around this problem is for grandparents to instead contribute to a parent-owned 529, which impacts need-based financial aid to a much lesser extent. Of course, doing this means that grandparents might not be able to control how the money is invested, and later used.

Tools & Tips

When I need a quick answer to a fairly routine tax question, my go-to resource is the EY Tax Guide 2014, published by the accounting/consulting firm Ernst & Young.



This inexpensive and easy to read tax reference is perfect for practitioners and laypeople alike. It's written in plain English, always a big plus for a tax reference. The index is especially well-done, which makes looking up any topic a breeze. Examples of how rules work are provided for extra clarity, and, as the name implies, it is updated each year to stay current with the ever-changing tax laws.

While it won't substitute for the services of an accountant when you've got a complex situation, this is a great place to start when you've got a run-of-the-mill tax question.

I've used it recently to help clients figure out whether an expense was tax-deductible as a business expense, as well as whether they qualify for a Roth IRA.

Michael Becker is a Westport CT attorney with a Bachelor's Degree in accounting and a Master's Degree in marriage and family therapy. 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 Divorce Mediation (now CCND), and a James W. Cooper Fellow of the Connecticut Bar Foundation.