

THE MEDIATOR

Mediation Offices of Michael Becker, Esq.
Experience Matters

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It Happened Today

On October 2, 1967, Thurgood Marshall was sworn in as an Associate Justice of the United States Supreme Court. He was the first black appointed to the nation's highest court.

Quote Me on It

"The farther backwards you can look, the farther forward you are likely to see."

Winston Churchill

Useless Information

Eleanor Abbott, recuperating from polio in the 1940s, occupied herself by devising games and other pastimes for youngsters who had polio. One invention was called 'Candy Land.' Her friends advised her to submit it to Milton Bradley, where it was immediately accepted. Since then, Candy Land has become internationally recognized as a 'child's first game.'

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Recent Development

New Court Rules on Sealing Files

After the controversy caused when it was revealed that former practice allowed judges to sometimes close courtrooms, seal files and instruct court clerks not to disclose the existence of a case, the Connecticut Judicial Branch's Rules Committee has made several practice changes.

Most important, the rules require all cases filed to be identified as existing on the records. This eliminates secret files entirely.

Additionally, the new rules impose heavy requirements on those wishing to close hearings to the public, seal files or limit disclosure of documents. And

even if these burdens are met, judges must now consider alternatives to these broad steps, more narrowly focused on the reasons for the request — for example, sealing portions of a case's file or, in certain types of cases, using pseudonyms.

One curious change, specifically affecting family cases, seems to move in a different direction. Financial Affidavits, containing each party's sworn disclosure regarding the family finances, are now automatically sealed, unavailable to the public in most circumstances, unless a specific request for access is made.

Connecticut Legislation

Address Confidentiality Program

The Connecticut legislature passed a bill, Public Act No. 03-200, which provides a substitute mailing address for certain crime victims who wish to keep their actual addresses secret for safety concerns.

Basically, the law establishes a program in which a participant's home, work and school addresses are exempt from disclosure under the Freedom of Information Act. Instead, a post office box and

fictitious address would serve as his or her address.

The program is available to victims of family violence, injury or risk of injury to a child, sexual assault or stalking.

An individual's participation in the program generally expires after four years, and may be cancelled sooner in certain circumstances.

The program is set to be administered through the office of the Secretary of the State.

Tax Stuff **Lower Rates Passed**

Recently Congress passed a major tax cut package, much of which affects individuals.

The 10% tax bracket was widened slightly, meaning that, for most taxpayers, more income will be taxed at a lower rate. This is said to give lower earners some tax relief.

And the new law puts into effect, retroactive to January 1, 2003, reductions in the top four marginal tax rates — even though these cuts were originally not set to go into effect for a few years. Specifically, the top four tax rates will be 25%, 28%, 33% and 35%, down about 2% in each case. This gives higher earners a break, which was one of the major criticisms leveled at the legislation.

It's important to note that few of the reductions are permanent. Rather, most will expire over time unless they are renewed.

Michael Becker is an attorney and accountant practicing mediation full-time in Westport, Connecticut. One of the most experienced mediators in our area, he is a founding Director and President of the Connecticut Council for Divorce Mediation, and Adjunct Professor at University of Connecticut School of Law. Michael is an Advanced Practitioner Member of the Association for Conflict Resolution.

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Tools & Tips

Deborah Tannen, the nationally-recognized linguistics expert, has written a book on the differences in the way men and women communicate, appropriately entitled, **You Just Don't Understand.**

The book, now a classic, is essential reading for anyone who works with men and women, especially when the relationship is at stake.



Tannen explains that differences in upbringing affects each gender's world view, which then affects word choice and conversational style. She then shows how the differences in the ways we speak with each other can pose big problems for inter-gender relationships, both business and personal.

The punch line is that rather than trying to get everyone to speak in the same way, Tannen proposes how we can live with 'asymmetrical conversation styles,' to prevent disagreements from spiraling out of control or ending in stalemate.

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