

THE MEDIATOR

Mediation and Collaboration Offices of Michael Becker, Esq.
Experience Matters

Spring 2006 Edition

It Happened Today

On March 22, 1974, the U.S. Senate passed the Equal Rights Amendment, which was then sent to the states for ratification. The first state to ratify was Hawaii, followed by 30 other states within a year or so. However, the amendment never received ratification by the requisite 38, or three-fourths, of the states — ultimately falling three short. Because of this rejection, gender equality is not specifically protected by the U.S. Constitution, except for the right to vote.

Quote Me on It

"It is better to debate a question without settling it than to settle a question without debating it."

Joseph Joubert

Useless Information

One barrel of petroleum holds 42 gallons.

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What Makes Happiness?

Surprises for Professionals

Therapists tell me that clients often ask for help in finding or increasing "happiness." Seems simple enough. However, looking for happiness in the usual places doesn't seem to be working these days.

A recent issue of *Psychology Today* reports that **it isn't so easy to find happiness, or to increase it beyond certain limits. And people often look in the wrong places.**

For example, things ordinarily associated with happiness — youth, money and beauty — seem to contribute to happiness much less than most Americans

would think. By contrast, more mundane things (which often require much more personal effort) such as well-spent leisure time, volunteering and social connection contribute greatly to subjective happiness.

And increasing material riches from a middle-class lifestyle to an upper-middle-class lifestyle does surprisingly little to increase personal happiness.

Interestingly, education — once thought to bring happiness — seems to create higher expectations, which, if unmet, can actually decrease happiness.

New Legislation?

CT May Consider Mediation Act

The Connecticut Legislature may soon consider adoption of the Uniform Mediation Act (UMA).

The UMA establishes clear rules for mediation confidentiality. In fact, its central purpose is to keep most mediation communications confidential in all 50 states.

Proponents say that a uniform rule for all states will increase use of mediation because parties and the mediator will know exactly

what is confidential regardless of the state in which the mediation takes place. There are said to be over 250 different statutes on this point in the U.S.; this complexity is said to inhibit broader use of mediation.

And a broad confidentiality rule would also allow for more wide-ranging discussion of settlement options in mediation, by reducing concern that an offer may later be used in court against the offeror should the mediation break down.

Tax Stuff: AMT Tax Lurking?

Alternative Minimum Tax (AMT) is an extra tax some people have to pay on top of their regular income tax. Originally, the tax was imposed to prevent high income taxpayers from avoiding taxes through sophisticated tax planning techniques. However, with time, **more and more ordinary taxpayers have found themselves subject to this additional income tax.**

It's hard to know for sure whether you're subject to AMT until you actually do your taxes. However, it seems that people who deduct high state and local taxes, exercise large amounts of incentive stock options, or have incomes over \$100,000 are more susceptible. Sometimes, a combination of small items triggers AMT, and other times one or two large items trigger the tax.

Given this, it's best to consult with a tax professional to find out whether you may be subject to this tax and, if so, how to avoid it.

Tools & Tips

I recently read *Instant Persuasion* by Laurie Puhn, JD and recommend it highly.

Puhn makes a point I have come to understand after almost 20 years of practice: it's not just what you say, but how you say it that determines whether you get what you want. I tell this to my clients all the time.



The bottom line is that if you treat people well through your words (and following deeds), they are far more inclined to do the same to you. **You'll get what you want without the fight.** Intuitive as this seems, it's a message often forgotten in our increasingly confrontational society with its polarized discourse. And I certainly didn't learn it in law school.

Puhn outlines 35 'rules' for communicating with others. They have broad application in business as well as social settings.

Michael Becker, Esq. is an attorney and accountant practicing mediation and collaboration 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 CT Council for Divorce Mediation. Michael is an ACR Advanced Practitioner Member, as well as a Master's Degree candidate in Fairfield University's Marriage and Family Therapy Program.

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