



Barrister's  
Corner

Atty. Kenneth Ursua Reyes

THE economic crisis has affected almost every aspect of our community from depressed real estate prices, lower 401k values, and employment. Many have lost their jobs as employers try to cut cost. Those that are fortunate to keep their jobs usually have bonuses and overtime reduced. The bottom line is there is less money to go around.

To top all this off, many of us have existing child and spousal support obligations that were issued when the economy was growing and when you were generating more income. If your income has gone down substantially from the time that the child or spousal support determination, you may be able to file a modification of your support obligation. Losing a job or having less income constitutes a material change of circumstances that would allow the court to modify

## Modifying down child and spousal support in a recession

down your support obligations. Child support in California is based on guideline formula. One of the factors that is considered in the guideline formula is your gross income. Usually the court would look at several months or even an average of the last 12 months income. If your average income has decreased, you may be able to modify your child support to a lower amount. Bear in mind that there are other factors that come in the equation such as the amount of actual timeshare you spend with your child and the income of the other parent. If the other parent's income has gone down, this may adversely affect your child support obligation.

Spousal support may also be modified unless you stipulated in a divorce judgment that it is non-modifiable. However, spousal support are usually calculated differently than guideline. The court will look at other factors in deciding whether to modify this. Those factors are listed in family

code section 4320.

If you are unemployed, the other party may be expected to try to impute income on you. However in light of the recent cases in California, they would have to prove that you had the ability and the opportunity to obtain employment.

If your income has gone down as a result of the economic crisis and would like to modify down your support obligation, you should seek experienced counsel for assistance.

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(Advertising Supplement)



Immigrant  
Living: 101  
and Beyond

Monette Adeva Maglaya

*"Wise men learn from other people's mistakes; fools, from their own."  
—Plautus*

WE live in the land of mind-boggling choices. We exercise the freedom to choose in nearly every aspect of our lives: from the mundane and trivial to the profound and significant. We choose which detergent to use or what color of hair dye your salon colorist will apply to your tresses this week. Those are the easy ones. It is the profound, life-changing choices that stump us often, such as choosing a career, choosing a mate, which lifestyle to adapt or where to live. If we are to live fully, it is imperative to learn this one critical skill of knowing how to make the right choices. Without this skill, life will just be a pathetic series of what-might-have-beens.

It is, at best, an intuitive skill. How does one acquire it? There are no simple, cut and dried steps. It helps to have a few essentials tucked in your belt such as: a broad knowledge base, a sound noggin, a good upbringing, a good heart, time and propensity for deep reflection and study to think things through, guidance from both the mortal and the spiritual realms and the ability to extract the lessons from one's

## Choices

own experiences or better yet, from the collective pool of other people's experiences.

It is a tall order. No one can say for certain how the ability to choose wisely ever comes about in anyone's life. More often than not, this gets developed late in life when all the lessons from a lifetime of experience reach a critical mass and congeal. Things finally click and everything seems clearer. It could be a combination of nature and nurture where heredity may play a tiny part. Even the wisest of men can have fools for children just as there are children seemingly born with old souls, far advanced in their wisdom, who can have fools for parents. It is enough to know that you earn this skill yourself acquiring it layer upon layer with every season of your life from birth to death. At the highest levels, the intuition to make the right judgment calls at every turn, works like a sixth sense. This skill belongs to the most highly evolved human beings.

Why is this skill so important? It is because for as long as the world turns, our choices determine our results. The law of cause and effect like the force of gravity that holds the universe together, rules human life. To understand intimately how the intricate workings of this law apply to our own lives, imagine it as borrowing heavily from the principles of accounting.

Visualize an invisible, unerring and indisputable ledger of one's life being recorded—its highs and lows, its pluses and minuses, the volume of both good and bad, both beauty and horror which one has generated through the course of his life, the amount and range of happiness and the depths of pain, misery and tears one has caused in others. And yet unlike human accounting, that same invisible ledger takes into account such intangible, unquantifiable factors, both human and divine, such as love, kindness, forgiveness, redemption, generosity of spirit and tender mercies. At the end of it all, one is presented with the bottom line—either in red—what one owes life, a deficiency or a debt that must be paid—if not in this lifetime—then in successive ones or if one has lived life well and has reached the highest rungs of nirvana—in the black, on the plus side with profits to show, with a wealth of positive contributions to the self, to others and the world at large—a life well lived, a life well spent. It is a thought-provoking parallel that should give everyone cause to take a long hard look at one's own precious life.

On the altar wall of the Sistine Chapel in the Vatican is the story of the last judgment. Michelangelo, more than half a millennium ago, painted man's spiritual history beginning with creation to the fall from grace to

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Minding your  
Finances

Atty. Raymond Bulaon

ARE you currently overwhelmed with debt problems that you can no longer handle on your own? Thinking about filing for bankruptcy but are afraid to make a decision? Do you feel stuck and paralyzed in your situation, unable to take any action? Maybe just thinking about your situation gives you this sick feeling in your stomach that won't go away. Is there a way out of your seemingly hopeless situation?

A famous author said: "It is in those moments of decision that our destiny is shaped". I think what this means is that the decisions we make in life are so powerful and regardless of whether you realize it or not, you are constantly creating results in your life, good or bad, at every single moment. You are the creator of your destiny.

The path you take, whether right or wrong will take you to a certain destination. Have you ever gotten lost while driving on the road or freeway and realized that you were headed in the wrong direction? What did you

## Is bankruptcy the right choice for you?

do? Did you just continue driving even though you knew you were going the wrong way? Of course not! Without doing a complete turnaround, you wouldn't have reached your intended destination. The same is true in life. You will never get to where you want to be unless you are on the right path. Which way are you going right now?

Filing for bankruptcy when you are in debt may seem like a drastic step but when appropriate for your situation, it may be just what you need to do a complete turnaround and get back on track. If your debt problems are making you very insecure about your financial future, the fresh financial start provided by our bankruptcy laws can put you on the road to financial recovery so that you can start building wealth again instead of accumulating debts.

The decision to be wealthy or to be poor is a personal decision. Don't ever be misled into thinking that some people are destined to be rich while others are destined to be poor. This is a big lie. If everything in life has been pre-arranged, life here on earth would be pointless. You are here to make choices and to decide the kind of life that you

want to have. Your choices can make or break you.

If your life is out of control, only you can regain control of your circumstances by exercising your power of decision. No one can do this for you. As a bankruptcy attorney, I tell my clients that my job is to help them understand their options but ultimately, they are responsible for the decisions that they make. The people who understand this are the ones who come out of bankruptcy successfully over a very short period of time. Before long, they move on to bigger and better things in life. They understand the power of decision.

The refusal to decide is also a decision in itself. By refusing to decide what kind of life you want to have, you have made the decision to leave everything to chance and be a victim of circumstances. Don't let this happen to you. There is power in decision-making. If you are burdened with financial problems, find out what options you have available and decide once and for all to get out of debt as soon as possible. If you can get out of debt without filing for Bankruptcy, decide on what strategy to use to accomplish your objective. If

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### THE SHORT SALE SPECIALISTS

## 360 Realty

360 REALTY assists homeowners throughout California in negotiating down the amount owed on their home loan. It creates a win-win situation for both parties by providing the homeowner an option before their property is foreclosed upon, and by achieving maximum return to the lender. They assist homeowners in protecting the homeowner's credit from further degradation; presenting a solution to the lender and negotiating favorable terms; helping to minimize their debt obligations; allowing the homeowner and their family to get a fresh start; expediting the process with a fast resolution.

360 Realty is also a Short Sale Specialist. A short sale also called "Short Pay" is a process by which a lender agrees to receive a lower amount of an owed debt in exchange for the sale of the property to a third party, usually at no cost to the borrower. Most of short sale services are TOTALLY FREE OF CHARGE. 360 Realty's short sale specialists may help homeowners prevent the downgrading of their credit scores while providing them a fresh start.

#### Why consider a short sale?

Due to the recent downturn in the real estate market and the rise in the rates on adjustable mortgages, many homeowners are stuck with homes they cannot afford. After numerous attempts, they are not able to refinance as they had hoped. Now that owners are facing foreclosure, they realize that pursuing a Short Sale lessens the blow to the credit. Sellers realize that if they successfully close a Short Sale, they will be able to repair their credit history in a relatively short amount of time compared to what they will face if they have a foreclosure on their record. Not to mention the unavoidable expenses that are the responsibility of the seller if their home goes back to the bank.

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