

LEGAL LINES

Official newsletter of Chester & Farley, LLC,



Actress' husband sues for alimony

WRITTEN BY SAM RODRIGUEZ

Actress Mena Suvari's ex- husband has asked for spousal support as part of their divorce proceedings. Concert Promoter Simone Sestito claims that he has a "negative balance" on both his business and personal accounts. He is asking for \$17,000 in spousal support from Suvari.

Court documents show that Sestito enjoyed an extravagant lifestyle before splitting up with Suvari. He claims that he ate almost daily at high end restaurants, and that his monthly food bills average \$3000. He further claims that since Suvari filed for divorce in January of 2012, he has been forced to live off of his credit cards and loans from his parents.

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*The latest on
this month's issue:*

**PRESERVING YOUR
DIGITAL ESTATE- 2**

Your online estate

BY CARRIE BELLES

Chances are, your online persona will outlive your physical one. But have you considered what will happen to your blog, or Twitter and Facebook accounts after you're gone? Have you included them in your estate planning?

As personal estate planning lags behind the technology paced times, private companies have appeared to fill in the gap. Some promise to "preserve your memory" in a cloud based storage system, provided that your heirs keep paying the annual fee for the service. Sites like the Digital Beyond give tips on how you can prepare to preserve your digital footprint, such as how to pass your passwords on to your surviving family members. And the sticky legal question of who owns your digital "stuff" when you pass on—the site that owns the servers that it is stored on, or you as the user? This is currently a gray area, but as the courts catch up to technology, we will most likely see some rulings made on this issue.

Facebook is notorious for constantly changing their policies, but currently they allow the accounts of deceased users to be deleted, deactivated or "memorialized." According to Facebook, only "verified family members" can ask that an account be memorialized. Facebook does not leave any information on the rights of an executor of a will in reporting a person as deceased.

Twitter offers more leeway. In order to report a person as deceased, the site requires a copy of the deceased's death certificate and a link to the person's obituary. The person making the request must provide a notarized form identifying themselves and their relation to the deceased.

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**"Chances are, your
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your physical one."**

Bankruptcy rules on student debt may be relaxed

BY PANG YUHAO

A recent ruling in Federal Court hints that courts may be willing to relax the conditions under which a consumer may file bankruptcy.

As a consumer, you have two options when filing bankruptcy. Chapter 7 allows you to have most of your debts discharged (cancelled) and your liquid assets will be used to pay your debtors. Not all consumers will qualify for this type of filing, however. If your income falls below what the average income in North Carolina is, you may file for Chapter 7. Otherwise, you must file Chapter 13.

Bankruptcy is governed by federal court, and these courts recently signaled that they are willing to relax the clause that you can not cancel student debt.

In the past, only the rarest of cases would be allowed to forgive student debt, but after the Great Recession, Federal Courts began to recognize the burden carrying student debt takes on consumers. Recent rulings indicate that the courts may be willing to allow more consumers to have their student debt forgiven...

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"Courts began to recognize the burden of carrying student debt."

