

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

JPO,	:
Petitioner	:
	:
vs.	: DOMESTIC RELATIONS SECTION
	: Exceptions
MRW,	:
Respondent	:

OPINION AND ORDER

Before the Court are Respondent's exceptions to the Family Court Order dated January 8, 2002 in which Respondent was directed to pay \$163.00 per month child support for the support of her minor child in placement through the Juvenile Probation Office. Argument on the exceptions was heard February 13, 2002. In her exceptions, Respondent contends the hearing officer erred in assessing her an earning capacity based on prior employment, rather than basing her support obligation on her actual income. After reviewing Respondent's employment history, the Court finds no error in the assessment of an earning capacity. Based upon her current circumstances, however, and restricted to the circumstances of the instant case, the Court will lower Respondent's monthly payment, without lowering the actual obligation, the difference continuing to accrue as an arrearage, until April 1, 2002, in order to allow Respondent time to find suitable employment.

ORDER

AND NOW, this 15th day of February, 2002, for the foregoing reasons, the exceptions are hereby dismissed and the Order of January 8, 2002 is hereby affirmed. The Domestic Relations Office is directed to collect \$100.00 per month, accruing the remaining \$63.00 per month as an

arrearage, until April 1, 2002, at which time the full \$163.00 per month shall again be collected. The \$15.00 per month arrearage payment is suspended until April 1, 2002. It is noted the records of the Domestic Relations Office indicate Respondent has failed to make any payments since entry of the January 8, 2002 Order. Respondent is directed to begin paying immediately and is warned if she fails to make payments in accordance with the instant Order, the Domestic Relations Office will be filing a Contempt Petition.

By the Court,

Dudley N. Anderson, Judge

cc: Family Court
Domestic Relations
JPO
MW
Dana Jacques, Esq.
Gary Weber, Esq.
Hon. Dudley N. Anderson