

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

DAF,		: NO. 02-21,047
	Petitioner	:
		:
	vs.	:
		: DOMESTIC RELATIONS SECTION
SJF,		:
	Respondent	: Exceptions

**OPINION AND ORDER**

Before the Court are cross-exceptions to the Family Court Order filed August 19, 2003. Argument on the exceptions was heard October 8, 2003.

In her exceptions, Petitioner contends the hearing officer erred in the amount of the arrearage payment and in his exceptions, Respondent contends the hearing officer erred in determining Petitioner is entitled to spousal support.

With respect to the arrearage payment, Respondent was directed to pay \$100 per month and Petitioner contends such is too low. Respondent was also directed to pay child support of \$654.73 per month, spousal support of \$614.94 per month, child care of \$204.93 per month, and is paying health insurance premiums of \$145.56 per month (after considering Petitioner's contribution) and a loan payment for Petitioner's daughter's college tuition of \$100.00 per month. The arrearage results from the spousal support award having been delayed over a year, spousal support having been originally denied but after exceptions and a remand, the hearing officer having reversed his original determination. Considering Respondent's current payments, the Court finds no error in the amount of the arrearage payment.

With respect to the issue of entitlement, Respondent specifically contends the hearing officer erred in determining Respondent left the residence on his own accord, alleging that

Petitioner instead asked Respondent to leave. A review of the record supports the hearing officer's finding, however, and thus his determination that Petitioner is entitled to spousal support.

ORDER

AND NOW, this 9<sup>th</sup> day of October, 2003, for the foregoing reasons, the cross-exceptions are hereby DENIED.

The Order filed August 19, 2003, is hereby affirmed.

BY THE COURT,

Dudley N. Anderson, Judge

cc: Family Court  
Domestic Relations Section  
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Hon. Dudley Anderson