

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA**

KP, : NO. 02-21,473  
Petitioner :  
 :  
vs. : DOMESTIC RELATIONS SECTION  
 : Exceptions  
AP, :  
Respondent :

OPINION AND ORDER

Before the Court are Petitioner’s exceptions to the Family Court Order dated October 14, 2003, in which her request for a contribution to a pre-school expense was denied. Argument on the exceptions was heard December 10, 2003.

Petitioner contends the hearing officer erred in not requiring Respondent to make a contribution to the child’s pre-school expense.<sup>1</sup> While the hearing officer found the pre-school expense to be characterized as “private school tuition” under Pa. R.C.P. Rule 1910.16-6 (b), and thus possibly subject to contribution by Respondent if such is determined to be a reasonable need of the child, the hearing officer went on to find that the expense was not a reasonable need of the child considering the mother had been determined to be a nurturing parent and further, that she had a college education. The Court agrees with the hearing officer’s analysis of the matter and finding that the pre-school expense is not a reasonable need of the child in this particular situation.<sup>2</sup>

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<sup>1</sup> In her written exceptions, Petitioner also alleges two other points of error, but did not pursue such at argument. These will therefore not be addressed.

<sup>2</sup> Although Petitioner cites this Court’s decision in Illes v Illes, entered March 17, 1999 to No. 98-20,477, for the proposition that a pre-school expense had been found to be a reasonable need of the child even though the mother had been determined to be nurturing parent, the pre-school expense itself had not been contested and therefore the Court did not address the issue.

ORDER

AND NOW, this 12<sup>th</sup> day of December, 2003, for the foregoing reasons, Petitioner's exceptions are hereby denied and the Order dated October 14, 2003 is hereby affirmed.

By the Court,

Dudley N. Anderson, Judge

cc: DRO  
Family Court  
Janice Yaw, Esq.  
Patricia Bowman, Esq.  
Dana Jacques, Esq.  
Gary Weber, Esq.  
Hon. Dudley N. Anderson