

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

DLY,	:	NO. 95-20,854
Petitioner	:	
	:	
vs.	:	DOMESTIC RELATIONS SECTION
	:	Exceptions
SEB,	:	
Respondent	:	

TKF,	:	NO. 85-21,182
Petitioner	:	
	:	
vs.	:	DOMESTIC RELATIONS SECTION
	:	Exceptions
SEB,	:	
Respondent	:	

OPINION AND ORDER

Before the Court are Respondent’s exceptions to the Family Court Order dated January 22, 2003, in which Respondent was directed to pay child support to each Petitioner. Argument on the exceptions was heard March 26, 2003.

In his exceptions, Respondent contends simply the hearing officer erred in calculating his income. The Family Court Order indicates the calculation of Respondent’s income is based upon a pay stub and after examination of that pay stub, the Court agrees with Respondent. The year-to-date figures on the pay stub cover a period of 48-weeks and show a monthly net income of \$2,814.00. Adding the average monthly income tax refund of \$192.00, Respondent has a total monthly net income of \$3,006.00 rather than \$3,954.35.

Petitioner DY indicated at argument that the information she provided to the hearing officer regarding her 2001 income tax refund was incorrect and that rather than a tax refund of \$1,735.00,

she received a refund of \$1,220.00. She provided the Court with a copy of the return, which indeed shows a refund in that amount. Counsel was agreeable to consideration of this information at this time. Petitioner DY's monthly net income is thus \$1,640.00, rather than \$1,682.00.

Considering Petitioner Y's income of \$1,640.00 per month and Respondent's income of \$3,006.00 per month, the guidelines suggest a payment for the support of one minor child of \$568.72 per month. Considering Petitioner Fultz's income of \$881.00 per month and Respondent's income of \$3,006.00 per month, the guidelines suggest a payment for the support of two minor children in the amount of \$857.64 per month. The Family Court Order dated January 22, 2003 will therefore be modified accordingly.

ORDER

AND NOW, this 1st day of April, 2003, for the foregoing reasons, the Order of January 22, 2003 is modified such that effective November 20, 2002 Respondent shall pay for the support of one minor child the sum of \$568.72 per month in No. 95-20,854. Effective January 7, 2003, Respondent shall pay for the support of two minor children the sum of \$857.64 per month in No. 85-21,182. Further, the percentage responsibility for excess unreimbursed medical expenses shall be modified such that DY shall be responsible for 35.3% and Respondent shall be responsible for 64.7% of such in No. 95-20,854. Petitioner TF shall be responsible for 22.67% of her children's excess unreimbursed medical expenses and Respondent shall be responsible for 77.33% of such, in No. 85-21,182.

As modified herein, the Order of January 22, 2003 is hereby affirmed.

By the Court,

Dudley N. Anderson, Judge

cc: Domestic Relations Office
Family Court
DY
TF