

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PA

M.H.,	:	
Plaintiff	:	
	:	
v.	:	No. 03-20,231
	:	PACES NO. 633106196
P.H.,	:	
Defendant	:	

OPINION and ORDER

This opinion addresses the Exceptions filed by both parties to the Master's order of April 7, 2004, assessing Mother with child support.

Father's first exception relates to his health insurance cost. The information presented to the Master regarding the cost does not accurately reflect Father's actual monthly cost, as the Master used a year-to-date paystub and Father's health insurance has only recently taken effect. The parties agreed that Father's health insurance costs \$20 per week, which translates to \$87 per month, and the order will be modified accordingly.

Father next objects to his income assessment. The year-to-date paystub the Master used covered the winter months. Father, who works for Pickelner Fuel Company as a repairman, maintains that the paystub reflects a significant amount of overtime, which is not available during the warmer months. Because Father started his employment on January 21, 2004, the court has no evidence of how Father's income will change during the warmer months, or indeed whether it will change at all. Therefore, Father's recourse is to wait until he can present such evidence to the court, and file for a modification at that time.

Mother's single exception relates to her income assessment. The evidence indicates that Mother's net income from her wages as a waitress averages between \$102 and \$117 every two weeks, instead of every week, as the Master found. Therefore,

Mother's income (including her tips) is recalculated at \$973.92 per month, which yields a child support obligation of \$318.58 for two children and \$219.98 for one child.

ORDER

AND NOW, this _____ day of June, 2004, for the reasons stated in the foregoing opinion, Father's Exceptions #1 and #3 are granted, Father's Exception #2 is dismissed, and Mother's Exception is granted. It is further ordered that:

1. For the time period of February 24, 2004 until June 4, 2004, Mother's child support obligation shall be \$318.58 per month.
2. For the time period commencing on June 4, 2004 and continuing until further order of court, Mother's child support obligation shall be \$219.98 per month.
3. Mother's health insurance obligation shall be \$29.58 per month.
4. In all other respects, the Master's order of April 7, 2004 is affirmed.

BY THE COURT,

Richard A. Gray, J.

cc: Dana Jacques, Esq., Law Clerk
Hon. Richard A. Gray
Christian Frey, Esq.
Christina Dinges, Esq.
Domestic Relations (RW)
Family Court
Gary Weber, Esq.