

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PA

J.N.,	:	
Plaintiff	:	
	:	
v.	:	No. 02-20,630
	:	PACES NO. 393104470
D.M.,	:	
Defendant	:	

ORDER

This opinion addresses the Exceptions filed by both parties to the Master's order of December 17, 2003, in which Mother was ordered to pay child support.

Father objects to the effective date of the order, which the Master set at October 15, 2003, the date of the support conference. Although Father filed his petition on April 26, 2002, for various reasons the petition was heard in Oklahoma and dismissed by that state. Father reinstated his complaint in Lycoming County Domestic Relations in February 2003. Therefore, the court will make the order effective February 2003.

Mother objects to the inclusion to her income of the item listed on her year-to-date pay stub as "NoTax Mile." That payment is reimbursement for use of her personal car, and should not be counted as income. Mother's income is therefore recalculated to be \$30,130.29 for 50 weeks which, combined with her tax refund, results in a monthly income of \$2611.31, and a child support obligation of \$462.44 per month.

Mother also objects to the health insurance assessment. Inasmuch as both parties have the child covered under their insurance, neither party should be ordered to contribute to the other party's coverage.

ORDER

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

1. The effective date of the support of the support order shall be February 1, 2003.
2. Mother's child support obligation shall be \$462.44 per month.
3. Mother shall not be assessed a proportionate share of Father's health insurance.
4. In all other respects, the Master's order of December 17, 2003 is affirmed.

BY THE COURT,

Clinton W. Smith, J.

cc: Dana Jacques, Esq., Law Clerk
Hon. Clinton W. Smith
Joy McCoy, Esq.
J.N.
Domestic Relations (MR)
Family Court
Gary Weber, Esq.