

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PA

E.C.,	:	NO. 05-21,549
Plaintiff	:	
	:	
vs.	:	PACES No. 948001272
	:	
G.N.,	:	
Defendant	:	

OPINION and ORDER

This opinion addresses Father’s Exceptions to the Master’s order of June 22, 2007, assessing him with \$1,064.79 per month toward expenses for the children’s horse-related activities. This figure represents Father’s proportionate share (80.21%) of the yearly cost of the activities (\$12,777.45).

Under Rule 1910.16-6(d), a court may allocate expenditures for certain “needs” of the children that are deemed “reasonable.” We understand the Master’s point of view that the children have been involved with horses for many years, and began their involvement before the parties separated. However, the parties’ history when living as an intact family does not necessarily dictate what will happen after the parties’ separation. Unfortunately, the economic realities of divorce often means that children cannot continue to engage in such highly expensive extracurricular activities.

We also understand the Master’s frustration with the very disorganized state of Father’s finances, and the Master’s resultant finding that Father’s testimony regarding his current lack of income was not credible. And finally, we recognize that Father’s income of \$11,090.47 per month is high enough to justify the children continuing some of their horse-related activities.

However, applying common horse sense to the issue, this court simply does not believe that \$12,777.45 per year is a reasonable need of the couple's two children for horse-related activities—especially in light of this cost in proportion to the amount of basic child support owed each month (\$1730.93). In short, the court does not find it reasonable for the cost of extracurricular activities to reach 62% the cost of child support.

We will, however, consider one quarter of the total horse-related expenses to be reasonable needs of the children, which results in a yearly expense of \$3194.36, or \$266.19 per month. Father's monthly proportion of that would be \$213.28. The court is reluctant to order this sum, but does so given the long-term involvement of the children in this activity both before and after their parents' separation.

ORDER

AND NOW, this _____ day of March, 2008, after argument, for the reasons stated in the foregoing opinion Father's exceptions related the horse expenses are granted and it ordered that Father shall pay \$213.28 per month for the children's horse-related extracurricular activities. The remaining exceptions are dismissed.

In all other respects, the Master's order of June 22, 2007 shall remain in full force and effect.

BY THE COURT,

Richard A. Gray, J.

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