

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

<b>YS</b>	:	
	:	
	:	
<b>v.</b>	:	<b>No: 10-21,587</b>
	:	
<b>RM</b>	:	
	:	

**AMENDED ORDER**

AND NOW, this 23<sup>nd</sup> day of December, 2011, this order is entered after in chambers re-argument regarding Wife's Exceptions to Master's Order filed September 27, 2011. Present in chambers for the re-argument held on December 20, 2011, was counsel for Wife, Patricia A. Shipman, Esquire and counsel for Husband, William Miele, Esquire. The Orders of December 8, 2011, and December 22, 2011, are hereby **VACATED**.

Wife argues that the Master failed to follow *Pennsylvania Rules of Civil Procedure* Rule 1910.16-1 (c)(2) which requires the court to consider the length of the marriage when awarding support or alimony pendente lite (APL). The Master did not fail to consider the length of the marriage; the Master noted that the couple was married for approximately twenty-seven (27) months and cited the explanatory comment to Rule 1910.16-1 (c)(2) that states in short marriages the length of the marriage is considered to prevent unfairness to the obligor who could pay support for a period of time longer than the actual marriage.

Wife then argued that the Master should not have solely considered the length of the marriage but also the factors that are involved when awarding Alimony and deviation from support guidelines. Wife asks the Court for a full hearing in order to elicit all of the facts specific to this case.

Husband argued that the Master was correct in only considering the length of the marriage when determining the duration of the support. Husband further argued that at the time of the hearing Wife was given the opportunity to put facts on the record and at that time she declined in light of that fact she should not now be entitled to go back and give further testimony.

The Master used the facts presented at the time of the hearing. Both parties were given the opportunity to present all evidence that they felt were relevant and necessary at the time of the hearing in order to create a record. The opportunity to present evidence ends at the closing of the hearing. The Court finds no reason to re-open the proceeding for further testimony and finds no error in the Master's findings.

The Family Court Order dated September 6, 2011 is hereby **Affirmed**.

BY THE COURT,

Joy Reynolds McCoy, Judge