

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

MAS, : NO. 00-20,946
Petitioner :
 :
vs. : DOMESTIC RELATIONS SECTION
 : Exceptions
LCS, :
Respondent :

OPINION AND ORDER

Before the Court are Respondent's exceptions to the Family Court Order of September 27, 2000, in which Respondent was directed to pay to Petitioner child support and spousal support. Argument on the exceptions was heard November 15, 2000. At argument, Respondent's counsel indicated that exceptions #1 and #3 are not in issue.

With respect to the remaining exception, Respondent contends the hearing officer erred in not assessing Petitioner¹ with a higher earning capacity. The hearing officer indicates in his Order that Petitioner was not employed, is a high school graduate with two (2) years of general studies at Williamsport Area Community College and Lock Haven University, and has provided child care in her home since 1988. Based on that history, the hearing officer assessed Petitioner a minimum wage full-time earning capacity. The Court finds no error in such an assessment.

ORDER

AND NOW, this 20th day of November, 2000, for the foregoing reasons, Respondent's

¹In her written exceptions, Respondent's counsel states "the Master erred in not assessing Respondent with a higher earning capacity," but it is assumed that she is referring to Petitioner, not Respondent.

exceptions are hereby denied and the Order of September 27, 2000, as amended by the parties' subsequent stipulation that Respondent pay alimony pendente lite, not spousal support, is hereby affirmed.

By the Court,

Dudley N. Anderson, Judge

cc: John Gummo, Esq.
Janice Yaw, Esq.
Family Court
Domestic Relations
Gary Weber, Esq.
Hon. Dudley N. Anderson