2002 PA Super 52

LAURO MAZLO,	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
Appellee	:	
v.	:	
ROBERT P. KAUFMAN,	:	
Appellant	:	No. 1048 EDA 2001

Appeal from the Order entered March 13, 2001
in the Court of Common Pleas of Monroe County,
Domestic Relations Division, at No. 586 DR 1999

BEFORE: DEL SOLE, P.J., FORD ELLIOTT and BECK, JJ.

OPINION BY DEL SOLE, P.J.: Filed: February 27, 2002

¶1 Robert P. Kaufman (Father) appeals from an order of child support entered after a hearing on a petition to modify filed by Laura Mazlo (Mother). The sole issue raised on appeal is that the court erred in recalculating Mother's income when her petition to modify support only requested daycare and health insurance contributions from Father. We affirm.

¶2 The parties hereto are the parents of one minor child. The present order was entered in response to a motion to modify filed by Mother. The petition to modify sought reimbursement of daycare and health insurance costs which had arisen because Appellant lost his job and was no longer providing health insurance for the child. A hearing was held on Mother's petition but neither Appellant nor his counsel attended the hearing despite having notice of the hearing date. Therefore, the Hearing Officer heard

Mother's testimony and entered a recommendation. Appellant then filed exceptions in which he raised for the first time the issue raised in this appeal. The trial court denied the exceptions and entered an order in accord with the Hearing Officer's recommendation.[1]

¶3 In order to preserve an issue for review, litigants must make timely and specific objections during trial. ***Takes v. Metropolitan Edison Co.***, 695 A.2d 397 (Pa. 1997). Claims which have not been raised in the trial court may not be raised for the first time on appeal. ***Commonwealth v. Gordon***, 528 A.2d 631 (Pa. Super. 1987), *appeal denied,* 538 A.2d 875 (Pa. 1988). Our Supreme Court has frequently stressed the necessity of raising claims at the earliest opportunity, *i.e.*, during the trial or hearing, so that alleged errors can be corrected promptly, thus eliminating the possibility that an appellate court will be required to expend time and energy reviewing claims on which no trial ruling has been made. ***See Commonwealth v. Edmondson***, 718 A.2d 751 (Pa. 1998); ***Takes v. Metropolitan Edison Co.***, 695 A.2d 397 (Pa. 1997); ***Commonwealth v. Clair***, 326 A.2d 272 (Pa. 1974); ***Dilliplaine v. Lehigh Valley Trust Co.***, 322 A.2d 114 (Pa. 1974).

¶4 Presently, not only did Appellant not object at the hearing, he did not even attend the hearing. Appellant's failure to attend the hearing and make

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[1] We note that Monroe County uses the procedure set forth in Pa.R.C.P. 1910.12 in which there is a hearing before a Hearing Officer after which a party may file exceptions which are disposed of by a judge. There is no right to a hearing *de novo* before a judge.

a proper objection deprived the Hearing Officer of the opportunity to promptly correct any error and deprives this Court of a record adequate for appellate review. As our Supreme Court stated in ***Clair***, "[To hold otherwise] encourages ... counsel to sit by silently without calling errors to the trial court's attention until after the ... verdict is returned." ***Edmondson***, 718 A.2d at 753 (quoting ***Clair***, 326 A.2d at 273). To grant Appellant the relief he seeks, namely a new hearing, when he has declined to attend the initial hearing would truly turn the first hearing into a "dress rehearsal," ***Takes***, 695 A.2d at 400, and allow Appellant to benefit by his disregard of appropriate procedure and long-standing principles of waiver.

¶5 Accordingly, as we find Appellant has not preserved his claim for appellate review, we affirm the trial court's order.

¶6 Order affirmed.