

SUPREME COURT OF PENNSYLVANIA  
DOMESTIC RELATIONS PROCEDURAL RULES COMMITTEE  
RECOMMENDATION 136

Rule 1920.31. Joinder of Related Claims. Child and Spousal Support. Alimony. Alimony Pendente Lite. Counsel Fees. Expenses.

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(e) If a party dies and the divorce action is continuing pursuant to 23 Pa.C.S. § 3323(d.1), an existing alimony pendente lite order may continue as an obligation of the obligor decedent's estate, subject to modification. The amount of alimony to be awarded to the surviving spouse shall be calculated using only the income of the surviving spouse and the decedent's estate.

Explanatory Comment--2014

A divorce action may continue after the death of a party pursuant to 23 Pa.C.S. § 3323(d.1) if grounds for divorce have been established. Alimony pendente lite is intended to provide the financial ability to pursue or defend a divorce action and may continue until the economic issues are resolved.