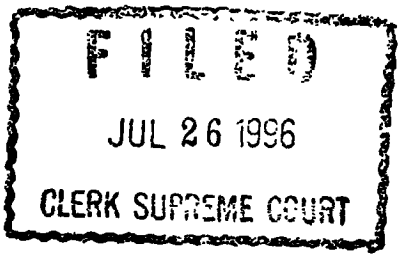
IN THE COURT OF APPEALS OF IOWA

No. 6-102 / 95-836



KEITH KIRCHNER,

Appellee,

vs.

LORI IRENE REID,

Appellant.

Appeal from the Iowa District Court for Linn County, Van D. Zimmer, Judge.

Lori Reid appeals from an order of the district court setting custody, visitation and child support obligations. **AFFIRMED.**

Kenneth F. Dolezal of Dolezal, Lindeman & Davison, Cedar Rapids, for appellant.

Richard L. Boresi of King, Smith & Boresi, Cedar Rapids, for appellee.

Considered by Sackett, C.J., and Habhab, and Huitink, JJ.

PER CURIAM

This is an appeal by a mother challenging the visitation and child support provisions in this paternity action. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Keith Kirchner and Lori Reid are the parents of Karley Kirchner, who was born in November 1993. Keith and Lori have never been married. Keith is employed as a correctional officer in Rockwell City. He has gross annual income of $30,156 and net monthly income of $1,583. Lori is a student at Kirkwood Community College in Cedar Rapids. She also works part-time as a cosmetologist at Younkers, where she has net monthly income of about $800. Lori receives $240 per month in child support for her two children from a previous marriage.

On June 28, 1994, Keith filed a petition for joint custody and visitation. In her answer, Lori sought child support from Keith. The district court entered its ruling on April 11, 1995. The court awarded the parties joint legal custody of Karley, with Lori having primary physical care. The court ordered Keith to pay child support of $355 per month. Keith was granted visitation on alternating weekends and holidays. In 1995, he receives two weeks of summer visitation. Beginning in 1996, he will receive six weeks of summer visitation, to be held in three two-week periods. For the weekend visitations, Lori must meet Keith at a half-way point to drop of the child. Keith was granted the dependency tax exemption for Karley, provided he is current in his child support obligation. Lori appealed.

I. Lori believes the district court granted Keith excessive summer visitation. She asks to have the visitation limited to two two-week periods, and that she be allowed to visit Karley on one day during each two-week period.

In establishing visitation rights, our governing consideration is the best interest of the child. *In re Marriage of Stepp.* 485 N.W.2d 846, 850 (Iowa App. 1992). In this regard, we have stated that, generally, liberal visitation rights are in the child's best interest. *Id.* We agree with the district court that Keith should have six weeks of visitation in the summer. Because this visitation is divided into three two-week periods, we find no reason to grant Lori visitation during Keith's time with the child.

II. Lori contends the court should not have required her to meet Keith at a half-way point for his weekend visitations. Keith does not work on Mondays and Tuesdays, and his weekend visitation is actually on these days. Lori states her future chances for employment will be impaired if she is required to drive to meet Keith on these days.

The record showed that Lori's class schedule and employment schedule would presently allow her to meet Keith on the days designated by the court. If this schedule later proves unworkable, Lori may file an application for modification.

III. Lori asks to have the case remanded for further evidence on the issue of Keith's net monthly income. Keith did not file an updated financial affidavit for the trial. However, he testified his income had not changed since he filed an affidavit for

the hearing on temporary matters. We decline to remand the case for a hearing on the issue of child support.

IV. Lori asks to be awarded the dependency tax exemption in alternating years. We find Keith should be awarded the dependency tax exemption provided he is current in his child support obligation.

We affirm the district court on each issue raised in this appeal. Costs of this appeal are assessed to Lori.

AFFIRMED.