FILED
JAN 24 1984
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF IRIS RAYHONS AND FRANK D. RAYHONS 115

Upon the Petition of	)	
IRIS RAYHONS,	)	
Petitioner-Appellee/ Cross-Appellant,	)	Filed January 24, 1984
And Concerning	)	
FRANK D. RAYHONS,	)	3-426 / 83-447
Respondent-Appellant/ Cross-Appellee.	)	

Appeal from the Iowa District Court for Hancock County - John F. Stone, Judge.

Respondent husband appeals and petitioner wife cross-appeals from the trial court's order modifying respondent's child support obligation. AFFIRMED AS MODIFIED.

Carlynn D. Reich, Mason City, and Philip L. Garland, Garner, for respondent-appellant.

G. A. Cady III of Hobson, Cady & Drew, Hampton, for petitioner-appellee.

Considered by Donielson, P.J., and Hayden and Sackett, JJ.

Respondent husband appeals and petitioner wife cross-appeals from the trial court's order modifying respondent's child support obligation. Respondent asserts that (1) some increase in child support was warranted, but not one so large as that ordered by the trial court; and (2) he should not have been required to pay any of the children's college education expenses. On cross-appeal, petitioner asserts that (1) the trial court should have made its increase in child support retroactive to the date her application for modification was filed; and (2) the trial court should have ordered respondent to pay more of the children's college education expenses. We affirm as modified.

The 1976 decree dissolving the marriage of Iris and Frank Rayhons directed Frank to pay child support of $60 per month for each of the parties' four remaining minor children: Gina, born in 1961; Kelli, born in 1964; Paige, born in 1966; and Polly, born in 1971.

In 1982, Iris applied for a modification of the decree, asking that her child support award be increased to $160 per month per child. She cited as the changes in circumstances since the decree the following factors: (1) inflation had increased her expenses for the children; (2) Frank's income had increased; (3) she had incurred medical expenses for Polly; (4) Kelli and Paige would soon reach age eighteen but would still be in high school and need support; and (5) Kelli intended to go to college after graduation from high school and would then need support or college expenses. Frank resisted the application for modification, and a hearing was held.

The court entered an order increasing Frank's child support obligation to $160 per month per child, effective four days after the date of the order. The order also required Frank to pay "one half of the costs for each girl, if said girl desires to attend college." This appeal and cross-appeal followed.

I.

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We first consider the issues on Frank's appeal. He claims that his new child support obligation of $160 per month per child is excessive and that he should not be responsible for any college expenses incurred by the children. We need not recite the familiar principles regarding modification of the economic provisions of a dissolution decree since Frank concedes that a substantial change in circumstances has occurred rendering an increase in support necessary; he only contests the amount of increase ordered by the trial court. We have reviewed the record in this case and are not inclined to disturb the court's order. There is no question that Frank's economic position is much stronger than is that of Iris. His income is approximately twice as large as hers. In addition, Frank's income as a seed corn sales manager has steadily increased over the years since the marriage was dissolved. During that time, his income rose from approximately $13,500 in 1976 to over $20,000 currently. We are not unmindful of Frank's debt situation; however, we believe that he is capable of sustaining the increased support obligations.

We also are convinced that the trial court was justified in ordering Frank to contribute to the children's future college expenses. There can be no question about the court's ability to do so. Iowa Code § 598.1(2); In re Marriage of Vrban, 293 N.W.2d 198, 203 (Iowa 1980). Considering again Frank's superior financial situation, it is only fair that he share the burden if the children decide to pursue further education. We agree, however, that his obligation in this regard should be specified more than was done by the trial court which ordered Frank to pay "one half of the [college] costs for each girl." We therefore order that Frank shall pay one-half of any college tuition, room and board, and book expenses incurred by the children within the time frame spelled out in Iowa Code section 598.1(2).

II.

In her cross-appeal, Iris claims that the increase in child support should have

been made retroactive to the date of her application for modification. While the court may do so, Willcox v. Bradrick, 319 N.W.2d 216, 219 (Iowa 1982), we do not believe such retroactivity is required. In this case there was only approximately six months between the filing of Iris' application and the trial court's order. Iris was not unduly prejudiced by failure to make the increase in support retroactive. We also reject her claim that Frank should pay a larger share of the children's college expenses. We have already charged him with half of certain of those expenses. In addition, while his earning power greatly exceeds that of Iris, we cannot ignore Frank's significant financial obligations.

The trial court's order is affirmed with respect to Iris' cross-appeal. The order is modified regarding what specific college expenses Frank shall be required in part to pay; in all other respects the order is affirmed.

AFFIRMED AS MODIFIED.