IN THE COURT OF APPEALS OF IOWA

FILED
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CLERK SUPREME COURT

DANIEL R. WEBSTER, Individually and on behalf of Erin Stephanie Webster,	)	488
Plaintiff-Appellee,	)	
vs.	)	Filed November 30, 1987
KIMBERLY D. CLAYTON, n/k/a KIMBERLY D. JOHNSON,	)	7-381 86-1268
Defendant-Appellant.	)	

Appeal from the Iowa District Court for Monona County (No. 20152) - Dewie J. Gaul, Judge.

Defendant appeals the trial court's order awarding custody of her child to the child's father and ordering her to pay child support. **AFFIRMED.**

Richard L. McCoy, Sioux City, for the defendant-appellant.

Robert L. Sikma, Sioux City, for the plaintiff-appellee.

Considered by Oxberger, C.J., and Donielson, and Sackett, JJ.

SACKETT, J.

We address the issue of the custody of a child, Erin, born to Appellant-Defendant Kimberly Johnson on October 7, 1982. Appellee-Plaintiff Daniel Webster is the natural father of Erin. Kimberly and Daniel have never been married to each other. We affirm the trial court's order granting custody to Daniel and ordering Kimberly to pay child support.

In November 1985 Daniel filed a petition seeking custody of Erin. The primary residence of the child had been with Kimberly. No prior actions involving custody had been filed. In August 1986 the trial court entered a decree determining Daniel should have custody of Erin. Kimberly was ordered to pay child support of $200 per month. Kimberly appeals the custody and child support award.

I. Custody

The parties were not living together when Erin was born but did live together for some period after Erin's birth. Erin spent the greatest percentage of her life in Kimberly's home. Daniel spent a great deal of time with Erin when he and Kimberly lived in the same home. Daniel had the child a minimum of two days a week when the parties were not living together. In October 1985 Kimberly left with the child for California. She did so without notifying Daniel. About a month later Daniel filed his petition seeking custody.

After hearing evidence the trial court found Kimberly borrowed entrusted funds from her bowling league and wrote insufficient funds checks which she did not make good until she was arrested. The trial court found the stability of her current marriage was open to question. The court found Erin had been so harshly disciplined by Kimberly as to leave marks on Erin's body.

The court found Daniel, when he was not living with Kimberly, had the child on weekends, sometimes for a period of three or four days at a time, and when Daniel was solely responsible for Erin's care he exercised the care in a reasonable manner. The court determined Daniel showed stability in living and employment while Kimberly has shown neither.

We have reviewed the record de novo and agree with the findings made by the trial court. See Iowa R. App. P. 4. In examining the custody award our prime consideration is the best interest of the child. Iowa R. App. P. 14(f)(15). This is an original proceeding. When the issue of custody arises from the competing claims of unwed parents the controlling interest is the best interest of the child. Heyer v. Peterson, 307 N.W.2d 1, 7 (Iowa 1981). The objective is to place the child in the environment most likely to bring healthy physical, mental and social maturity. Id.

Kimberly contends because Daniel works outside the home the child will be short-changed. This argument is not persuasive because Kimberly also works outside the home.

Next, Kimberly contends she should have custody because she will see Erin receives proper religious training. We need not address this argument. The trial court determined, and we agree, while both parents state that religious training is necessary, neither one has done anything to implement such training.

We find no reason to disturb the trial court's custody ruling.

II. Support

Kimberly contends $200 per month child support is too high. She contends it should be lowered or that we should remand to the trial court to take additional evidence on her living expenses. We disagree.

Kimberly testified she works for a CPA and earns $8.50 per hour. She testified her current husband works as a heavy equipment operator and grosses between $3,500 and $6,000 monthly. We consider her husband's income only as it applies to her needs. See In re Marriage of Mueller, 400 N.W.2d 86, 88-89 (Iowa App. 1986).

Both parents have an obligation to support their children. In re Marriage of Fleener, 247 N.W.2d 219, 221 (Iowa 1976); In re Marriage of Bornstein, 359 N.W.2d 500, 504 (Iowa App. 1984). The amount awarded is modest. We affirm the trial court.

AFFIRMED.