FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF DANEEN RACHELLE STORTZ AND RANDY JAMES STORTZ

Upon the Petition of )

**DANEEN RACHELLE STORTZ,** )

Petitioner-Appellant, )

And Concerning )

**RANDY JAMES STORTZ,** )

Respondent-Appellee. )

Filed March 9, 1988

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Appeal from the Iowa District Court for Winneshiek County (No. D-885), R. J. Curnan, Judge.

Petitioner wife appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

T. Todd Becker of Tom Riley Law Firm, Cedar Rapids, for appellant.

Marion L. Beatty and Linny Emrich of Miller, Pearson, Gloe, Burns, Beatty & Cowie, Decorah, for appellee.

Heard by Oxberger, C.J., and Donielson and Hayden, JJ.

**PER CURIAM**

Petitioner, Daneen Rachelle Stortz, appeals the decree of dissolution rendered by the trial court. She asserts the court erred by placing physical care of the parties' son, Derrick, with respondent, Randy James Stortz. Daneen requests appellate attorney's fees and, if given physical care of Derrick, requests that Randy be ordered to pay child support.

Our review is de novo. Iowa R. App. P. 4. We give weight to the fact findings of the trial court, especially when considering the credibility of witnesses, but we are not bound by them. Iowa R. App. P. 14(f)(7).

I. **Physical Care.** Our decision regarding physical care is ultimately made by determining under the whole record which parent can minister more effectively to the long-range best interests of Derrick. In re Marriage of Bowen, 219 N.W.2d 683, 687-88 (Iowa 1974). In reaching our decision, we take into account the factors enumerated in In re Marriage of Winter, 223 N.W.2d 165 (Iowa 1974), as follows:

> 1. The characteristics of each child, including age, maturity, mental and physical health.
>
> 2. The emotional, social, moral, material, and educational needs of the child.
>
> 3. The characteristics of each parent, including age, character, stability, mental and physical health.
>
> 4. The capacity and interest of each parent to provide for the emotional, social, moral, material, and educational needs of the child.
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> 5. The interpersonal relationship between the child and each parent.
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> 6. The interpersonal relationship between the child and its siblings.
>
> 7. The effect on the child of continuing or disrupting an existing custodial status.
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> 8. The nature of each proposed environment, including its stability and wholesomeness.

9. The preference of the child, if the child is of sufficient age and maturity.

10. The report and recommendation of the attorney for the child or other independent investigator.

11. Available alternatives.

12. Any other relevant matter the evidence in a particular case may disclose.

Id. at 166-67.

Our review of the record in light of these factors leads us to conclude the trial court was correct in granting physical care of Derrick to Randy. This is clearly a close case. Each of the parties has been shown to be a caring, loving parent. On balance, however, we are persuaded Randy can minister more effectively to the long-range best interests of Derrick. Randy has proven to be a hard worker with a stable future in the Decorah area. He intends to remain living in the family residence. Daneen intends to move to the Rochester, Minnesota area to attend a vocational school in order to become a medical secretary. While these plans are admirable, her future is not as secure as Randy's.

II. **Attorney's Fees.** Daneen requests appellate attorney's fees. We order Randy to pay her $500 to be applied to those fees.

**AFFIRMED.**