FILED
MAY 30 1980
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

NANCY S. PALMER,)

Petitioner-Appellant,) Filed May 30, 1980

vs.)

RONALD D. PALMER,) 0-51
63316

Respondent-Appellee.)

Appeal from Polk District Court - A. M. Critelli, Judge.

Mother appeals child custody provisions of dissolution decree alleging trial court abused its discretion in awarding custody to father. AFFIRMED.

R. Earl Barrett of Krpan, Barrett & Krpan, Des Moines, Iowa, for petitioner-appellant.

J. Michael Mayer of Jesse, Willits, Mayer & Hibbard, Des Moines, Iowa, for respondent-appellee.

Heard by Oxberger, C.J., and Donielson, Snell, Carter and Johnson, JJ.

Petitioner-mother, Nancy S. Palmer, appeals child custody provisions of the dissolution decree terminating her marriage to respondent, Ronald D. Palmer. She alleges trial court abused its discretion in ruling the best interests of the parties' minor child require respondent be awarded custody. We affirm.

The parties' marriage of approximately three years and eight months was dissolved on February 16, 1979. Petitioner, having been married twice previously, brought three children to the marriage: Susan, age fifteen; Buddy, age fourteen; and Michael, age nine. Together, petitioner and respondent had a daughter, Amy Ann Palmer, born February 12, 1977, whose custody was awarded to respondent and is the subject of this appeal.

I. Scope of Review. Since our review of the custody provisions of a dissolution decree is **de novo**, we will give weight to the findings of the trial court, but are not bound by them. Iowa R. App. P. 14(f)(7); In re Marriage of Joens, 284 N.W.2d 326, 327 (Iowa 1979). Our governing consideration is the best interest of the child. Iowa R. App. P. 14(f)(15). Neither party is given initial preference in our determination. In re Marriage of Meier, 267 N.W.2d 46, 47 (Iowa 1978). We base our conclusion on evaluation of the factors set forth in In re Marriage of Winter, 223 N.W.2d 165, 166-67 (Iowa 1974).

II. Custody of the Child. Petitioner argues she would be better able to meet Amy's needs because she is not employed and can spend all day with Amy. To support her contentions, petitioner stresses respondent works full time and some weekends, allowing him only a few hours each day and little extra time on weekends to devote to Amy. Petitioner further argues Amy will be deprived of cultural, social, and developmental opportunities if the custody award is affirmed because respondent resides with his sixty-five year old mother in a farmhouse which does not have indoor plumbing and is geographically remote from other children.

Although it would be desirable for respondent to spend more time with Amy, we do not find this factor requires reversal of trial court's determination. It is the quality of the time respondent spends with Amy, not its quantity, which is crucial. Nor do we find Amy will be deprived of any significant opportunities as petitioner suggests. On the contrary, respondent plans to enroll Amy in a pre-school where she will associate with children of the same age. Moreover, our review of the evidence discloses Amy will

be exposed to a more stable home environment with respondent. Expert psychological testimony reveals respondent has a well-adjusted and more consistent personality than petitioner. The psychologist who interviewed both parties recommended an award to respondent. Petitioner also has had difficulty in meeting the demands of parenting her three older children, resulting in a temporary loss of custody prior to her marriage to respondent. While we do not speculate petitioner would experience similar difficulties with Amy, it is a factor to be considered in assessing effective parenting abilities. In light of these considerations, we find trial court properly exercised its discretion in awarding custody of Amy to respondent.

Each party shall pay his or her own attorney fees in prosecuting this appeal. Costs of this appeal are assessed against petitioner. Judgment of trial court is affirmed.

AFFIRMED.