FILED
APR 26 1994
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

No. 4-057 / 93-0527

IN RE THE MARRIAGE OF MARY ANN PEED AND JOSEPH WILLIAM PEED

Upon the Petition of
MARY ANN PEED,

Petitioner-Appellant,

And Concerning
JOSEPH WILLIAM PEED,

Respondent-Appellee.

Appeal from the Iowa District Court for Webster County, Mark S. Cady, Judge.

Appeal from a trial court order modifying alimony and child support. **AFFIRMED.**

James L. Kramer and Thomas J. Bice of Johnson, Erb, Gibb, Bice & Carlson, P.C., Fort Dodge, for appellant.

William Smith, Steven Shindler and Michael E. Marshall of Smith, Schneider, Stiles, Wimer, Hudson, Serangeli, Robinson, Mallaney, Shindler & Scalise, P.C., Des Moines, for appellee.

Heard by Donielson, P.J., Sackett, J., and Critelli, S.J.*, but decided by Donielson, C.J., Hayden, Sackett, and Huitink, JJ. Habhab and Cady, JJ., take no part.

*Senior judge from the 5th Judicial District serving on this court by order of the Iowa Supreme Court.

PER CURIAM

The issues in this appeal from a trial court order modifying alimony and child support are whether the trial court (1) arrived at a fair and equitable amount of alimony, (2) correctly determined child support, and (3) was correct in not awarding interest. We affirm.

Petitioner-appellant Mary Ann Peed petitioned for a modification of her dissolution decree contending circumstances had changed and the alimony and child support respondent-appellee Joseph William Peed was ordered to pay in the original decree should be increased in amount. The trial court denied Mary Ann's request for modification. We, in an unpublished opinion, found Joseph had experienced an improvement in his overall financial condition since the entry of the dissolution decree and Mary Ann had met her burden to show the child support and alimony should be modified, and we remanded to the trial court directing the trial court determine the increases. In re Marriage of Peed, 487 N.W.2d 372 (Iowa App. 1992).

The original decree provided for alimony of $1100 per month to decrease to $500 per month five years after their youngest child graduates from high school. On remand, the trial court increased alimony to $1500 per month to decrease to $1000 per month after the youngest child graduates from high school. Child support for one child was increased from $700 to $850. Additionally, Joseph was ordered to pay $18,000 lump sum alimony within sixty days

of the trial court order. The case was appealed to this court.

The facts of this case have been set out in the unpublished opinion and will not be reiterated.

ALIMONY

Mary Ann first contends the alimony awarded was not equitable. Joseph, because of a windfall realized from the sale of corporate stock he received as part of the property division in the dissolution, has seen a substantial and favorable increase in his financial situation. The question is did this increase justify a larger increase in his alimony obligation than the trial court ordered. Mary Ann contends she should have larger alimony because of the windfall.

The fact a former spouse has acquired a superior financial position following a dissolution is a factor to consider when addressing a petition for modification of a dissolution decree but it is not the only factor. See In re Marriage of Skiles, 419 N.W.2d 586, 589 (Iowa App. 1987). The share a spouse receiving alimony should receive from such an increase cannot be determined on the increase alone. There is no equity in allowing one former spouse to automatically enjoy all the benefits of the other former spouse's labor and good fortunes following a dissolution. See id. Alimony in an original decree is considered with the property division in assessing the equity of the property division. In re Marriage of Griffin, 356 N.W.2d 606, 608 (Iowa App. 1984).

An award of alimony frequently does provide assurance for a former spouse, particularly in a long-term marriage, who is out of the job market so that catastrophic problems may be dealt with. See In re Marriage of Marshall, 394 N.W.2d 392, 396 (Iowa 1986). It also seeks to allow a former spouse of a long-term marriage, where possible, to continue to enjoy the standard of living he or she enjoyed during the marriage. See In re Marriage of Geil, 509 N.W.2d 738, 742 (Iowa 1993).

Mary Ann has excellent employment and, even without the increase, will be able to continue the standard of living she enjoyed during the marriage. We do not find under the circumstances of this case any inequity in the alimony fixed by the trial court. We affirm on this issue.

CHILD SUPPORT

The trial court increased child support to $850 a month. Mary Ann contends it should have been increased to $1000. The trial court on remand said:

> The Court is also directed to modify the amount of child support, although Mary Ann makes no specific request for increased child support on remand. She realizes, as the Court did, that Joseph has been quick to meet the needs of the children, and has provided for the children well beyond the level established under the decree.

We do not consider on appeal claims not made at the trial court level. Matters not raised in the trial court will not be considered on appeal. See Connor v. State, 362 N.W.2d 449, 457 (Iowa 1985); State v. Lyon, 223 N.W.2d 193, 194 (Iowa 1974). We affirm on this issue.

INTEREST

Mary Ann contends the trial court should have ordered interest paid on the $18,000 lump sum alimony and the increase on child support from the time she filed the modification petition. The trial court had the right to make the alimony award retroactive. See In re Marriage of Shepherd, 429 N.W.2d 145, 147 (Iowa 1988). The trial court advised us it considered the interest factor in setting the back award at $18,000. We affirm on this issue.

Mary Ann and Joseph shall pay their own attorney fees on appeal. Costs on appeal are taxed to Mary Ann.

AFFIRMED.