



IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF LORRAINE RENEE ROBINSON
AND RICHARD LEE ROBINSON

Upon the Petition of) 229
LORRAINE RENEE ROBINSON,)
Petitioner-Appellee,) Filed May 31, 1988
And Concerning)
RICHARD LEE ROBINSON,) 8-156
Respondent-Appellant.) 87-1053

Appeal from the Iowa District Court for Pottawattamie County (No. 966),
Keith E. Burgett, Judge.

Respondent husband appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

Michael J. Winter, Council Bluffs, for appellant.

Randy J. Shanks and Jacob Peters of The Peters Law Firm, Council Bluffs,
for appellee.

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

PER CURIAM

Respondent husband appeals from the decree dissolving the parties' marriage. We affirm.

Petitioner, Lorraine Renee Robinson, and respondent, Richard Lee Robinson, were married in 1979. They have two children, Erika, born in 1984, and Katie, born in 1986. Both parties were working at Kellogg's Company when they met. Lorraine quit working in 1984 when Erika was born. Michael continues to work at Kellogg's; he earned \$38,249 gross in 1986, but he expects to earn about \$10,000 gross per year less now because he voluntarily switched from the night shift, which he worked for thirteen years, to the day shift while this action was pending. Lorraine is now thirty years old; Richard is thirty-three.

In its dissolution decree, the trial court awarded Lorraine custody of the two children and directed Richard to pay her child support of \$375 per child per month, alimony of \$125 per month for four years, and attorney fees of \$500. Richard has appealed from the decree, contending these amounts are excessive.

Our scope of review is de novo. Iowa R. App. P. 4.

We have reviewed the child support award in accordance with those factors set out in Iowa Code section 598.21(4) and affirm it on appeal. The fact that Richard voluntarily reduced his income by changing job shifts shortly after the dissolution action was filed shall not relieve him of his obligation to pay support. See In re Marriage of Cerven, 335 N.W.2d 143, 146 (Iowa 1983). Richard testified he changed to the day shift in order to obtain custody of the children. He has not appealed the custody award. We presume he can resume his position on the night shift since he states in his brief he has a better chance of meeting his support obligations by doing so.

We affirm the rehabilitative alimony award to Lorraine, pursuant to review of the criteria set forth in section 598.21(3). This provision will allow Lorraine

231
to develop new skills and secure full time employment, see In re Marriage of Butler, 346 N.W.2d 45, 46-47 (Iowa App. 1984).

We affirm the trial court's award of attorney fees to Lorraine. Lorraine requests attorney fees on appeal. Based on the parties' respective abilities to pay, we order Richard to pay \$500 toward Lorraine's appellate attorney fees.

AFFIRMED.