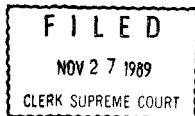


IN THE COURT OF APPEALS OF IOWA

No. 9-497 / 89-525



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IN RE THE MARRIAGE OF STEPHEN ALAN KEELER
AND DONNA MARIE KEELER

Upon the Petition of

STEPHEN ALAN KEELER,

Appellee,

And Concerning

DONNA MARIE KEELER,

Appellant.

Appeal from the Iowa District Court for Washington
County, James D. Jenkins, Judge.

Appellant appeals the district court's modification of
their dissolution decree, challenging the increase in her
child support obligation. **AFFIRMED.**

Douglas L. Tindal of Shearer & Tindal, Washington, for
the appellant.

D. Bradley Kieseey, Washington, for the appellee.

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

SCHLEGEL, J.

The district court modified the parties' 1987 dissolution decree to increase the noncustodial wife's child support obligation. The wife has appealed, challenging the increase in her child support obligation. We affirm.

The marriage of Stephen Alan Keeler and Donna Marie Keeler was dissolved in July 1987. The marriage had produced one child, a girl born in June 1981. The 1987 dissolution decree placed this child in Stephen's custody and directed Donna to pay child support of \$10 per week.

In 1988 Donna filed an application to modify the dissolution decree, asking that the child be transferred to her custody and that Stephen be directed to pay her child support. Stephen filed an answer and counterclaim resisting a change of custody and requesting increased child support from Donna. After a hearing, the district court left custody with Stephen and modified the decree to increase Donna's child support obligation from \$10 per week to \$40 per week. Donna has appealed, challenging only the increase in her support obligation.

Donna was 28 years old at the time of the modification hearing. When the marriage was dissolved in July 1987, Donna was earning \$4.50 per hour for a forty-hour week. However, in September 1987 she obtained a different job at Sheller Globe in Iowa City, and she was still working at

Sheller Globe at the time of the modification hearing. At Sheller Globe she earns \$9.61 per hour but is subject to layoffs of several months per year. She indicated that the length of her layoffs might decrease as she gains additional seniority. During her layoffs she receives unemployment benefits; at trial time these benefits were \$174 per week. In 1987 her adjusted gross income was \$7,670. There was no firm evidence of her 1988 income. In spite of her higher hourly wage at Sheller Globe, she testified she anticipated little net gain due to her extensive layoffs; however, as noted above, these layoffs are partly offset by unemployment benefits.

Stephen, thirty-three years old at trial time, earns \$30,000 per year from steady full-time employment and receives another \$2,400 per year from his service in the Iowa National Guard. He has held the same job for over five years. Except for cost of living increases, his income has not changed substantially since the July 1987 dissolution decree.

Our review in cases such as these 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. Iowa R. App. P. 14(f)(7). We are not bound by these determinations, however. Id. Prior cases have little precedential value, and we must base our decision primarily on the particular circumstances of the parties

presently before us. In re Marriage of Weidner, 338 N.W.2d 351, 356 (Iowa 1983).

Donna contends the increase in her income does not constitute a substantial change in circumstances sufficient to warrant an increase in child support. Iowa Code section 598.21(8)(a) grants the authority to modify a dissolution of marriage decree based on a substantial change in circumstances, where the court may take into account the employment, earning capacity, income or resources of a party. The trial court found, and we agree, that Donna's wages have doubled since the dissolution decree. In addition, her employment is permanent and secure, making it likely that she will gain seniority and higher pay the longer she stays. An increase in earning capacity can also be considered by the district court. The layoffs that Donna is now experiencing are partially offset by the unemployment benefits and will doubtless decrease as her seniority increases. The trial court properly considered all of these factors in making its determination. The increase in the costs of raising a child, in addition to the substantial increase in Donna's present income and earning capacity, warrant the increase in child support to \$40 per week.

AFFIRMED.