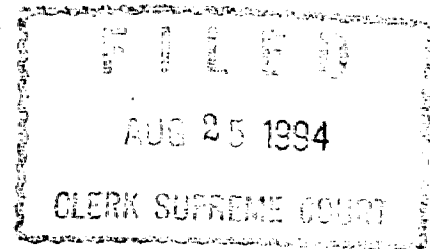


IN THE COURT OF APPEALS OF IOWA

No. 3-613 / 93-0374



IN RE THE MARRIAGE OF SHARON YOUNGBLUT AND
RUSSELL ARTHUR YOUNGBLUT

Upon the Petition of
SHARON YOUNGBLUT n/k/a
SHARON AMLING,

Petitioner-Appellee,

And Concerning
RUSSELL ARTHUR YOUNGBLUT,

Respondent-Appellant.

Appeal from the Iowa District Court for Buchanan
County, William G. Klotzbach, Judge.

Former husband appeals from the district court's
modification of the economic provisions of the parties'
dissolution decree. **AFFIRMED.**

Curtis J. Klatt of Klatt Law Firm, Waterloo, for
appellant.

No appearance by appellee.

Considered by Donielson, C.J., and Habhab and Huitink,
JJ.

HABHAB, J.

Former husband, Russell Youngblut, appeals the economic provisions of the parties' dissolution decree. He contends the district court erred in the amount of support awarded for his daughter's college education and his former wife's trial attorney fees. We affirm.

Russell and Sharon Youngblut, n/k/a Sharon Amling, were divorced in 1981. Their three minor children were placed with Sharon. Two of the children are emancipated. One child, Gail, born July 15, 1974, is attending Hawkeye Community College pursuing a two-year photography course. She lives at home.

Both parties remarried and each has a child from the second marriage. Russell divorced again and pays child support. Sharon works at the Mental Health Institute in Independence, and earns approximately \$1100 net income per month. Her husband also works, earning a gross yearly income of \$28,561. Russell works for John Deere in Waterloo. He earns about \$2400 net income per month.

Sharon filed a petition for modification in June 1992. The district court awarded Sharon support for Gail as long as Gail was in full-time education. Russell was ordered to pay seventy-five dollars per week retroactive to September 1, 1992. He was awarded a tax exemption subject to maintaining current support. Russell was also ordered to pay \$750 of Sharon's attorney fees and court costs.

In this equity action, our review is de novo. Iowa R. App. P. 4. We have a duty to examine the entire record and adjudicate anew rights on the issues properly presented. In re Marriage of Steenhoek, 305 N.W.2d 448, 452 (Iowa 1981). We give weight to the fact findings of the trial court, especially when considering the credibility of witnesses, but are not bound by them. Iowa R. App. P. 14(f)(7).

By statute, divorced parents may be required to support their children while attending college. In re Marriage of Byall, 353 N.W.2d 103, 107 (Iowa App. 1984). This obligation depends largely on the circumstances of each case. In re Marriage of Hoak, 364 N.W.2d 185 (Iowa 1985); In re Marriage of Vrban, 293 N.W.2d 198, 203 (Iowa 1980). The duty to provide college support extends to both parents. In re Marriage of Linberg, 462 N.W.2d 698, 701 (Iowa App. 1990) (citation omitted).

In assessing Russell's obligation, we consider (1) the ability of the child for college, (2) the age of the child, (3) the financial conditions of the parents, and (4) whether the child is self-sustaining. Id. (citations omitted). We note that Sharon's husband's income is relevant to determine Sharon's ability to contribute to her daughter's college education. Id. (citation omitted).

Gail's tuition is \$2862 per year. Gail's other expenses include her books, lab fees and her camera equipment such as lenses, tripods and film for her

classes. Gail also has expenses for her car payment, insurance and food. Sharon allows Gail to live in her house rent-free. In addition Gail works about ten hours a week and has received a \$250 scholarship.

We consider a \$75 a week contribution to Gail's college expenses to be reasonable. We affirm the district court on this issue.

Russell also argues he should not have to pay Sharon \$750 in trial attorney fees. Iowa trial courts have considerable discretion in awarding attorney fees. In re Marriage of Giles, 338 N.W.2d 544, 546 (Iowa App. 1983). To overturn an award the complaining party must show that the trial court abused its discretion. Id. Awards of attorney fees must be for fair and reasonable amounts, In re Marriage of Willcoxson, 250 N.W.2d 425, 427 (Iowa 1977), and based on the parties' respective abilities to pay. In re Marriage of Lattig, 318 N.W.2d 811, 817 (Iowa App. 1982). We find the district court did not abuse its discretion. We affirm on this issue.

Cost of this appeal assessed to appellant.

AFFIRMED.