FILED
AUG 31 1978
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF BOYD LEON JOHNSON and MARJEAN LOIS JOHNSON

Upon the Petition of

MARJEAN LOIS JOHNSON,

Appellee,

And Concerning

BOYD LEON JOHNSON,

Appellant.

Filed August 31, 1978

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2-61044

Appeal from Warren District Court - Luther T. Glanton, Jr., Judge.

Husband appeals from economic provisions of dissolution decree. Affirmed.

James F. Fowler, of Wilson, Goodhue & Fowler, Indianola, for appellant.

James Hoyman, of Elgin, Hoyman & Clogg, Indianola, for appellee.

Submitted to Donielson, Acting C.J., Snell, Oxberger and Carter, JJ.

PER CURIAM

Respondent, Boyd Johnson, appeals from the economic provisions of the August 5, 1977 decree dissolving his marriage of 15 years to petitioner, Marjean Johnson. On appeal our review is de novo. Rule 4, Rules of Appellate Procedure. We give weight to the findings of the trial court, but are not bound by them. In matters of marital asset division we are guided by the criteria listed in Schantz v. Schantz, 162 N.W.2d 398 (Iowa 1968). We do not, however, consider fault. In re Marriage of Williams, 199 N.W.2d 339 (Iowa 1972).

The parties were married in 1962. Two children were born of the marriage, Walter, age nine at the time of trial, and Aimee, age seven. At the time of the marriage Marjean was employed as a dietary aide and had saved more than $4000. At that time Boyd's assets consisted of a six-year-old car and a $1200 U.S. Army reenlistment bonus. Boyd made the army a career. He obtained a college degree while in the service, specializing in computer science. He attended N.C.O. school and during the Viet Nam war rose to the rank of captain. After the war, army personnel rollbacks resulted in a reduction in his rank. He is currently classified as an E-7, a computer specialist with a net income of $1260 per month. He anticipates one additional raise in grade and pay before his retirement after 20 years active duty in two years. At that time he will become entitled to a monthly pension. At the time of trial Boyd was 40 years old. Army service often sent Boyd overseas for duty. The parties had been separated for more than four years prior to trial and it was estimated that Boyd's tours of duty during the 15 year marriage kept him away from his family for more than seven years.

Marjean lives with the children in a 12 year old mobile home located near Indianola. Boyd is stationed in the state of Virginia. At the time of trial Marjean, age 38, was employed by Heartland Education Agency as an audiometrist, netting $487 per month.

The value of the parties' assets is approximately $90,000. They have one debt, an $11,250 interest free loan from the U.S. Army obtained in 1973. This loan must be repaid in a lump sum at the time of Boyd's retirement.

The trial court decree awarded custody of the two children to Marjean and ordered Boyd to pay child support of $150 per month per child until a child reaches 18, marries or completes high school. No alimony was awarded. Boyd was ordered to retain

army medical insurance for the benefit of the children and obtain comparable coverage for them after he retires for as long as child support is required under the decree. For the same time period Boyd was ordered to retain a $25,000 life insurance policy with the children as beneficiaries. Boyd was awarded several personal items, other life insurance policies with face values totalling $50,000 and other assets valued at nearly $37,000. He was ordered to pay his own attorney fees, court costs, and when due, the $11,250 debt owed the army. Marjean was awarded assets valued at approximately $40,000. The decree placed about $9000 of additional assets in trust for the children. These assets, U.S. government savings bonds and a coin collection are to be divided equally between the children when they reach age 18. Boyd and Marjean were named trustees of the assets. Marjean was ordered to pay her own attorney fees. Each parent was awarded one child dependency income tax exemption.

On appeal Boyd seeks reduction of his child support obligation to $130 per child per month. He also argues that he should be awarded both income tax exemptions, and requests that his share of the parties' net assets be increased by approximately $7000. We affirm the trial court.

Because alimony has not been awarded, nor sought on appeal by Marjean, it is appropriate in this case for that fact to be reflected in the property division. The extended periods of time during which Marjean cared for the parties' children alone are also reflected in the property division. Further justifying the awards decreed are the parties' contrasting income potentials. Marjean's employment as an audiometrist offers her no advancement potential in the audiology field without several years of college study. Boyd's upcoming army retirement pension and his extensive experience in the computer science field should provide him with financial security. We conclude that the decree of the trial court accomplishes substantial equity and should be affirmed.

AFFIRMED.