FILED
APR 30 1985
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF BETTY JEAN GUNDERSON
AND ARNOLD A. GUNDERSON

Upon the Petition of)
BETTY JEAN GUNDERSON,)
Petitioner-Appellee,) Filed April 30, 1985
And Concerning)
ARNOLD E. GUNDERSON,) 5-67
84-1068
Respondent-Appellant.)

Appeal from the Iowa District Court for Franklin County - Paul W. Riffel, Judge.

Respondent appeals from the trial court's modification of the decree dissolving their marriage. AFFIRMED.

Timothy M. Baldwin of Boveia Law Offices, Waverly, for respondent-appellant.

Richard A. Allbee of Coonley & Coonley, Hampton, for petitioner-appellee.

Considered by Donielson, P.J., and Snell and Sackett, JJ.

DONIELSON, P.J.

The respondent in this action, Arnold Gunderson, has appealed from a modification of the parties' dissolution decree. He asserts that the trial court erred in requiring him to pay $200 child support to his youngest child who is attending college. We affirm.

The marriage of petitioner Betty Gunderson and respondent Arnold Gunderson was dissolved in 1966. Betty received custody of the parties' four children and Arnold was to pay child support until each child reached the age of 18 years old. On August 18, 1982, the parties' youngest child, Bryan, reached 18 and the respondent stopped making support payments.

In November 1983, Betty filed for modification of the decree, seeking additional support for Bryan. Bryan was enrolled as a full-time student at North Iowa Area Community College in Mason City, Iowa. The record reflects that his educational expenses for the 1983-84 school year totaled $2,944.00 and his personal expenses amounted to $350.00 per month. He also has a debt for $800.00. Bryan did not work during the school year, however, there is a possibility that he could obtain summer employment. Testimony also reflects that Bryan had $3,925.00 available from the Pell Grant and Iowa Guaranteed Student Loan Program for the 1984-85 school year.

The trial court ordered Arnold to pay Bryan $200.00 per month while Bryan attended college. Arnold filed a timely rule 179(b) motion requesting that the court consider the funds available to Bryan from student loans and summer employment. On May 25, 1984, the court ruled on the motion, noting that it had considered such funds in determining the modification order. Arnold has appealed.

Arnold's sole contention on appeal is that the trial court did not take into account all the resources available to Bryan to finance his education. Specifically, Arnold points to the $3,925.00 worth of financial aid available and the possibility of summer employment.

In our de novo review of this action, we consider the factors set forth in Iowa Code section 598.21. In doing so, it is apparent that the award of child support should not be disturbed.

The trial court's findings of fact specifically mention that Bryan would receive an estimated $1,425.00 from the Pell Grant and that he was attempting to secure summer employment. Thus, there is little merit to respondent's claim that these factors were not considered. We note, however, that the court made no mention of the $2,500.00 available in the form of an Iowa Guaranteed Student Loan. Yet this factor alone does not persuade us to decrease child support.

Viewing the record as a whole, we believe $200.00 per month reflects an equitable amount. Arnold is presently employed and has a net weekly income of $259.00. His only indebtedness is a $27,500.00 mortgage and $14,681.00 in delinquent child support payments. It is apparent that Arnold can assume the court-ordered child support payments without undue hardship. We see little reason to require his son to assume further financial obligations when it is unnecessary. Furthermore, it is apparent that Betty's ability to contribute financially to Bryan's education is minimal at best. She has been unemployed since 1982 due to a back injury. She also receives county assistance for utility bills, food stamps, and has a moratorium on her home mortgage. In light of these considerations, we affirm the trial court's determination.

Betty has requested attorney fees on appeal. Based on the factors set forth in In re Marriage of Castle, 312 N.W.2d 147, 150 (Iowa 1981), we believe an award in the amount of $500.00 would be appropriate.

AFFIRMED.