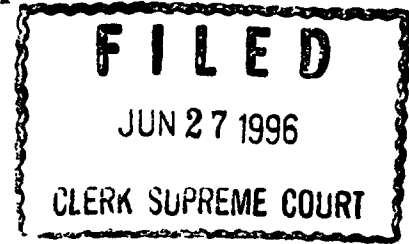


IN THE COURT OF APPEALS OF IOWA

No. 6-003 / 94-1441



IN RE THE MARRIAGE OF KRISTIN
KAY SCHMIDT AND CRAIG SCHMIDT

Upon the Petition of
KRISTIN KAY SCHMIDT,

Petitioner-Appellant,

And Concerning
CRAIG SCHMIDT,

Respondent-Appellee.

Appeal from the Iowa District Court for Ida County, Richard J. Vipond, Judge.

Kristin Schmidt appeals from the child support provisions of the parties' dissolution decree. **AFFIRMED.**

Steven D. Hamilton of Hamilton Law Firm, P.C., Storm Lake, for appellant.

Kermit L. Dunahoo of Dunahoo Law Firm, Des Moines, for appellee.

Considered by Huitink, P.J., Streit, J., and McCartney, S.J.*

* Senior judge from the Second Judicial District serving on this court by order of the Iowa Supreme Court.

PER CURIAM

This is an appeal by a wife claiming the district court should have ordered her former husband to pay a greater amount of child support under the terms of the parties' dissolution decree. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Kristen and Craig Schmidt were married in 1988. They have two minor children. Kristen was employed at Midwest Industries in Ida Grove, where she earned \$16,016, and had net monthly income of \$1,067. Craig was employed at a Honda dealership in Bentonville, Arkansas, where he earned \$12,480 and had net monthly income of \$829.

The district court issued a dissolution decree for the parties on August 5, 1994. The parties were granted joint legal custody of the children, with Kristen having primary physical care. The court applied the child support guidelines and ordered Craig to pay child support of \$249 per month. For summer and Christmas visitation, the court ordered Kristen and Craig to meet in Kansas City, Missouri, to transfer the children. Craig must provide the transportation for any other visitation.

Kristen has appealed. She claims the district court should have deviated from the child support guidelines to increase Craig's obligation. Kristen argues Craig could have earned more money if he had stayed in Ida Grove instead of moving to Arkansas, and therefore, his child support obligation should be based on his earning capacity. She also states Craig has reduced living expenses because he lives with his

parents in Arkansas, and believes that because of this he can afford to pay an increased amount of child support.

The record does not show Craig has ever earned more than \$6 per hour, the amount he currently earns, and we agree with the district court that his child support obligation should be based on his actual earnings. We also find no reason to deviate from the child support guidelines based on the fact Craig is presently living with his parents while he attempts to reduce the parties' debt. We note that new child support guidelines are currently in effect. Under these guidelines, Craig's child support obligation is the same amount he was ordered to pay under the dissolution decree, \$249 per month. We affirm Craig's child support obligation.

Kristen contends Craig should provide all of the transportation for all of his visitation. She states it was Craig's decision to move to Arkansas, and he should be responsible for the transportation problems caused by his move. Kristen admits that in assigning the cost of travel, we apply an equitable standard. *See In re Marriage of Wahlert*, 400 N.W.2d 557, 561 (Iowa 1987). We find it is equitable to have both parents contribute to the transportation of the children for summer and Christmas visitation.

We affirm the district court on all issues raised in this appeal. Costs of this appeal are assessed to Kristen.

AFFIRMED.