FILED
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CLERK SUPREME COURT

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**IN THE COURT OF APPEALS OF IOWA**

**IN RE THE MARRIAGE OF NOMA C. WOLCOTT AND RAYMOND L. WOLCOTT**

Upon the Petition of )
**NOMA C. WOLCOTT,** )
Petitioner-Appellee, ) Filed March 26, 1985
And Concerning )
**RAYMOND L. WOLCOTT,** ) 5-52 / 84-893
Respondent-Appellant. )

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

Respondent husband appeals from the trial court's ruling on both parties' applications for modification of the decree dissolving their marriage. AFFIRMED.

Greg A. Life of Life Law Office, Oskaloosa, for respondent-appellant.

H. Michael Neary of Gerard & Neary, Sigourney, for petitioner-appellee.

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

The marriage of petitioner, Noma C. Wolcott, and respondent, Raymond L. Wolcott, was dissolved in 1982. Raymond was awarded custody of the parties' two children, Stephanie, born in 1973, and Douglas, born in 1975. Noma was allowed "reasonable" visitation rights. No child support was ordered.

In 1983, Noma applied for a modification of the dissolution decree; she asserted that Raymond had not allowed her to exercise her visitation rights since the decree, and she asked that specific times for visitation be prescribed. Raymond answered the application and also filed his own application for modification; he asserted that his income had substantially decreased since the decree, and he asked that Noma be ordered to pay child support.

Testimony at trial indicated the following: After the decree Noma moved to Florida and then Texas; she is now living in Arkansas, near her father and stepmother. Raymond is still living in Iowa. While the dissolution action was pending, Noma apparently caused or allowed her father and stepmother to take the children to live with them in Arkansas. Arkansas juvenile authorities became involved with the children, and some question was raised regarding Noma's ability to properly care for the children. Raymond spent considerable time and money to have the children returned to his and Noma's custody. At the time of the dissolution decree, Noma was unemployed; she now earns $100 a week. Raymond now earns $258 a week, about what he earned at the time of the decree.

The trial court ruled that Noma could have visitation with the children in Arkansas for one three-week period during June, July, and August, and for one week during their Christmas vacation. The parties were to split the cost of these visitations. The trial court also ruled that Noma could have visitation with the children in Iowa on at most two weekends a month. She was to bear the entire cost of these visitations. The trial court refused to order Noma to pay child support. Raymond has appealed.

Our review is de novo. Iowa R. App. P. 4 (1983). While we are not bound by the trial court's findings of fact, we give weight to them, especially with regard to the credibility of witnesses. Iowa R. App. P. 14(f)(7); Recker v. Gustafson, 279 N.W.2d 744, 748 (Iowa 1979).

On appeal, respondent husband asserts (1) that the trial court should not have allowed petitioner wife to exercise her visitation with the parties' children outside the state; and (2) that the trial court should have ordered petitioner wife to pay child support.

The primary concern in establishing visitation is what will be in the best interest of the child. Smith v. Smith, 258 Iowa 1313, 1321, 142 N.W.2d 421, 424 (1966). The non-custodial parent's right of visitation should be safeguarded by definite provisions in the order or decree. Id. at 1322, 142 N.W.2d at 425.

In this case, we find the trial court's order allowing the mother specific periods of visitation to be proper and in the best interest of the children. Although the mother has been somewhat mobile in the past, the record indicates that she has now established a home in Arkansas. We find insufficient evidence of her instability to justify an order restricting her right to have the children visit her at her home in Arkansas.

We find that there has been no substantial change in circumstances and therefore we deny the request that the wife be ordered to pay child support. See, Donovan v. Donovan, 212 N.W.2d 451, 453 (Iowa 1973).

The findings of the trial court are affirmed.

AFFIRMED.