IN THE COURT OF APPEALS OF IOWA

FILED
MAR 23 1988
CLERK SUPREME COURT

IN RE THE MARRIAGE OF KATHLEEN M. THEDE AND ALAN E. THEDE

Upon the Petition of
KATHLEEN M. THEDE,

Petitioner-Appellant,

And Concerning
ALAN E. THEDE,

Respondent-Appellee

495

Filed March 23, 1988

8-74
87-491

Appeal from the Iowa District Court for Scott County (No. 37103) - David J. Sohr, Judge.

Petitioner appeals from the economic provisions of her dissolution decree.

AFFIRMED AS MODIFIED.

Michael J. McCarthy, of McCarthy & Lammers, Davenport, for appellant.

James M. Hood, Davenport, for appellee.

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

PER CURIAM

In this appeal we address Petitioner Kathleen M. Thede's challenge to the property and alimony provisions of her dissolution decree.

Our review is de novo. Iowa R. App. P. 4. We review the economic provisions as a whole. See In re Marriage of Hoak, 346 N.W.2d 185, 191 (Iowa 1985).

The parties were married in 1971. They have three children born in 1973, 1976 and 1983. The parties were awarded joint custody of the children. Kathleen was awarded physical care. Kathleen was 38 years of age at the time of the decree and Alan was 41 years of age. Alan was ordered to pay child support of $60 per week per child. He was ordered to pay Kathleen alimony of $50 per week for eighteen months.

The trial court apportioned the parties' assets and liabilities so as to leave the parties with a substantially equal net worth when considering the division of assets and apportionment of liabilities and costs. We find no reason to disturb it on appeal. See In re Marriage of Stewart, 356 N.W.2d 611, 612 (Iowa App. 1984; In re Marriage of Byall, 353 N.W.2d 103, 106 (Iowa App. 1984).

We do not, however, consider the alimony award to be adequate. Alan has been employed by the federal government as a machinist at the Rock Island Arsenal. He also is a four-year navy veteran which applies to his job seniority and pension. He earns close to $40,000 annually. Kathleen was employed as a bank teller prior to the marriage. During the marriage she has assumed the primary responsibility for the parties' children. She has held part-time employment but was not employed at the time of the dissolution.

As a result of her absence from the job market she has lost job seniority, pension and social security benefits. She needs additional training to reenter the job market. Her reentry will be difficult because of child care expenses and responsibilities.

In assessing the alimony we look at the particular circumstances of this case. In re Marriage of Fleener, 247 N.W.2d 219, 220 (Iowa 1976). We consider the property settlement. In re Marriage of Bevers, 326 N.W.2d 896, 900 (Iowa 1982).

We modify the decree to provide the alimony shall continue for eight years.

Kathleen requests attorney fees on appeal. We award her $500. Appellate costs are taxed one-half to each party.

AFFIRMED AS MODIFIED.

Donielson, P.J., concurs; Habhab, J. dissents.

HABHAB, J. (dissenting)

I dissent. I would affirm the trial court.