IN THE COURT OF APPEALS OF IOWA

FILED
JAN 26 1989
CLERK SUPREME COURT

IN RE THE MARRIAGE OF
RICK REEDHOLM AND SALLY L. REEDHOLM

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Upon the Petition of)
RICK REEDHOLM,)
Petitioner-Appellee,)
And Concerning)
SALLY L. REEDHOLM,) 8-429
87-1684
Respondent-Appellant.)

Appeal from the Iowa District Court for Story County (No. 4521), Newt Draheim, Judge.

Respondent wife appeals from the decree dissolving the parties' marriage. **AFFIRMED AS MODIFIED.**

Tim Pearson, of Hyland, Laden & Pearson, Davenport, for appellant.

James H. Waters, Des Moines, for appellee.

Heard by Oxberger, C.J., and Donielson and Sackett, JJ.

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This appeal is from the dissolution of a marriage. Appellant wife contends: (1) the district court should have set up a joint custody arrangement with her having physical care rather than giving her husband sole custody, (2) her visitation is inadequate, (3) the district court should have awarded alimony to her, and (4) the property division is inequitable. Our review is de novo. We affirm the trial court's ruling as modified below.

Rick and Sally Reedholm were married in 1980. They have two children, Jaime, born in 1981, and Jessame, born in 1984. Rick is a maintenance supervisor at a county care facility where his net earnings are $1,011.51 per month. Sally runs a day care business where her net earnings are $560 per month. Rick is twenty-seven years old and lives in Ames with his parents. Sally is twenty-six years old and lives in Nevada.

I. CUSTODY AND VISITATION

The dissolution decree provides Rick with sole custody of the children. It allows Sally visitation of one full weekend each month, six hours on another Saturday each month, alternate Thanksgivings and Christmases, and fifteen days in the summer.

Iowa Code section 598.41 governs child custody and visitation. Our first and foremost consideration in determining custody is the best interest of the children

involved. Iowa R. App. P. 14(f)(15). See also Iowa Code § 598.41 (1987). "Joint custody is preferred because, properly tailored to the parties' circumstances, joint custodial arrangements will often go a long way toward encouraging both parents to share the rights, responsibilities, and frequently joyful and meaningful experiences of raising their children." In re Marriage of Weidner, 338 N.W.2d 351, 359 (Iowa 1983).

The trial court did not permit joint custody in this instance because one party opposed it and because no expert testimony was presented to show such an arrangement would be in the best interest of the children. However, Iowa Code section 598.41(2) provides the court shall consider granting joint custody even in situations where the parents do not agree to joint custody. The record indicates the parties have a hard time cooperating and lack respect for one another. Further, the respondent may need psychological counseling. However, we find that while the relationship between the parents is strained we do not believe it is appropriate to deny joint custody in this instance. Our law favors joint custody. In re Marriage of Weidner, 338 N.W.2d at 359. We find joint custody of these children to be appropriate. We also find it necessary to modify Sally's visitation schedule to include every other weekend instead of one weekend per month and six hours on another Saturday.

II. ALIMONY

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No child support or alimony was awarded by the trial court. The determination of whether alimony should be awarded is made pursuant to the factors enumerated in Iowa Code section 598.21(3).

The record shows Sally earns $560 per month. The record shows Rick earns $1,011.51 per month. Rick and Sally have been married for six years. Rick is twenty-seven years old and has a high school education. Rick attended one year in a building and trades program at DMACC. Sally is twenty-six years old and has her G.E.D. Both parties have indicated an interest in furthering their own education. Under these circumstances we do not find an award of alimony to be appropriate.

III. PROPERTY DIVISION

The trial court awarded Rick tools, a coin collection, guns and personal property. Sally was awarded a car, a watch, and personal property. Sally remains in the marital home, however, it has no equity. Rick was directed to pay the parties' debts and $750 toward Sally's attorney fees. It is well established that equality need not be achieved with mathematical exactness. In re Marriage of Conley, 284 N.W.2d 220, 223 (Iowa 1979); In re Marriage of Bornstein, 359 N.W.2d 500, 503 (Iowa App. 1984). Our review of the record reveals an equitable distribution of property pursuant to Iowa Code section 598.21(3). We do not disturb the attorney fee award.

AFFIRMED AS MODIFIED.