IN THE COURT OF APPEALS OF IOWA

No. 0-576 / 90-38

FILED
NOV 29 1990
CLERK SUPREME COURT

IN RE THE MARRIAGE OF JULIE L. MADSEN AND TIMOTHY I. MADSEN

Upon the Petition of

217

JULIE L. MADSEN,

Appellee,

And Concerning

TIMOTHY I. MADSEN,

Appellant.

Appeal from the Iowa District Court for Polk County, Luther T. Glanton, Senior Judge.

Appellant appeals that part of the dissolution decree that granted physical custody of his son to the appellee. He also challenges the $200 judgment rendered against him. **AFFIRMED.**

Eric Borseth, Pleasant Hill, for appellant.

Robert A. Nading II, Ankeny, for appellee.

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

PER CURIAM

Appellant appeals that part of the dissolution decree that granted physical custody of his son, Travis, to the appellee. He also appeals that part of the decree that awarded appellee judgment against him in the amount of $200 as the value of a nineteen-inch color television set. We affirm.

The parties to this action were married on August 11, 1978. They have one child, Travis, born October 2, 1980. It is his physical custody that is in dispute.

A review of equity cases is de novo. Iowa R. App. P. 4. When determining placement of child custody or physical care, the first and governing consideration of this court is the best interest of the child. Iowa R. App. P. 14(f)(15). Precedence is of little value as each case must be evaluated on its own facts to determine which parent can minister more effectively to the child. In re Marriage of Winter, 223 N.W.2d 165 (Iowa 1974).

The trial court's findings are given weight, especially when considering the credibility of the witnesses, but it is yet our duty to review the record de novo and determine the issues presented upon the facts disclosed of record. In re Marriage of Guyer, 238 N.W.2d 794, 796 (Iowa 1976).

The record reveals that each party has favorable qualities as to parenting a child and that each has on occasion conducted himself/herself in a manner that reflects adversely on parenting skills. In balance, we

agree with the trial court that the appellee is in a better position to provide for the long-range best interests of Travis. Accordingly, we affirm the trial court on this issue.

We also affirm the trial court when it awarded judgment of $200 in favor of the appellee and against the appellant. The award is just under the circumstances.

We affirm the trial court in all respects. Costs on appeal are assessed against the appellant. Appellee is awarded $750 to be applied to her appellate attorney fees.

AFFIRMED.