FILED
JAN 25 1979
CLERK SUPREME COURT

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IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF PAMELA SUE McDANNEL and DANNY ROYE McDANNEL

Upon the Petition of **PAMELA SUE McDANNEL,** Appellee, And Concerning **DANNY ROYE McDANNEL,** Appellant.	)	Filed January 25, 1979 761 2-61335

Appeal from the Linn District Court - Ansel J. Chapman, Judge.

Husband appeals denial of motion to expunge child support judgment, challenging subject matter jurisdiction of the trial court. Affirmed.

John C. Platt, of Cedar Rapids, for appellant.

James E. Bobenhouse, of Cedar Rapids, for appellee.

Submitted to Oxberger, C.J., and Donielson, Snell, Carter and Johnson, JJ.

This appeal is taken from the trial court's denial of a motion to expunge a child support judgment contained in a dissolution of marriage decree between the parties.

Pamela Sue McDannel gave birth to a child in 1965. She married Danny Roye McDannel in 1967. Pamela petitioned to dissolve the marriage on April 23, 1975. The parties stipulated thereafter that the child born in 1965 was not the adopted or natural child of Danny. They further stipulated that while Danny had no legal obligation to support said child, he would agree to pay child support of $25 per week until the child graduates from high school, reaches age 18, or otherwise becomes emancipated. He also agreed therein to provide the child with medical and life insurance coverage for the same period of time. The stipulation was adopted in an August 22, 1975 dissolution decree.

On July 7, 1977, Danny filed a motion to expunge judgment, challenging the subject matter jurisdiction of the trial court to make the child support awards previously mentioned, and praying that those provisions be deleted from the decree, and all judgments of record against him for unpaid child support be ruled void. After hearing on September 29, 1977, Danny's motion was denied by trial court ruling dated October 24, 1977.

The subject matter jurisdiction of the district court is extremely broad, having been defined in Green v. Sherman, 173 N.W.2d 843, 846 (Iowa 1970) as "the power to hear and determine cases of the general class to which the proceedings belong." Danny's claim is based upon the fact that, absent the stipulation, the trial court could not have made the child support awards it did. While we recognize the principle announced in In re Marriage of Carney, 206 N.W.2d 107 (Iowa 1973), that a dissolution court may not, without agreement of the parties, order support for a stepchild, this is not based upon any limitation in the court's subject matter jurisdiction. It simply reflects the legal obligations of the parties in the absence of an agreement to the contrary. Danny's challenge to the trial court's subject matter jurisdiction is without merit. That court clearly had jurisdiction of the subject matter pursuant to Chapter 598, The Code, and particularly § 598.21. And, the stipulated contract of support, carried into the decree, is binding on Danny, just as any other final judgment within the court's jurisdiction. Dunham v. Dunham, 189 Iowa 802, 826-27, 178 N.W. 551, 560-61 (1920).

We reject Pamela's contention that she is entitled to recover attorney fees from Danny in a post-decree proceeding of this type. Costs on appeal are charged to Danny.

AFFIRMED.