FILED
JAN 24 1984
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF GEORGE CHUMBLEY AND MARCIA SUE CHUMBLEY

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UPON THE PETITION OF **GEORGE CHUMBLEY,**	)	Filed January 24, 1984
Petitioner-Appellee,	)	
AND CONCERNING **MARCIA SUE CHUMBLEY,**	)	3-447 83-897
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Warren County—Thomas W. Mott, District Associate Judge.

Respondent-wife appeals from economic provisions of the parties' dissolution decree, asserting that the child support award was inequitable. REVERSED AND REMANDED.

Robert A. Gottschald, Indianola, for respondent-appellant.

Mason G. Ouderkirk, Indianola, for petitioner-appellee.

Considered by Oxberger, C.J., and Snell and Schlegel, JJ.

OXBERGER, C.J.

Respondent-wife appeals from economic provisions of the parties' dissolution decree, asserting that the child support award was inequitable. No brief was filed for husband, appellee. We reverse and remand.

Our review of this equitable proceeding is de novo. In re Marriage of Castle, 312 N.W.2d 147, 148 (Iowa Ct. App. 1981). We review the facts as well as the law and determine rights anew from the credible evidence on properly presented and preserved issues. In re Marriage of Full, 255 N.W.2d 153, 158 (Iowa 1977). While we give weight to the findings of the trial court, especially where the credibility of witnesses is involved, we are not bound by them. Iowa R. App. P. 14(f)(7).

We have reviewed the record and are convinced that the economic provisions are inequitable. Marcia has steady employment in the claims department of an insurance company. She has medical insurance available and allots some of her wages for it. Her disposable income is $190 per week. George is a press operator with a disposable income of $290 a week. His job has been subject to layoffs in the past at which time he received unemployment benefits of $156 per week. George's employer's business is doing well now and another layoff is less likely this summer than last.

The trial court awarded each party the property held prior to the marriage. Marcia was ordered to pay debts totaling $5447; George was ordered to pay debts totaling $5339. The child support award was $22 per week per child, thus leaving George with $246 per week ($290-$44) and Marcia with $234 per week ($190 plus $44). Even though the trial court fairly equalized their incomes and split the debts down the middle, the fact still remains that Marcia has two children to care for. As such, equalizing the parties' economic positions is not enough.

Therefore, considering the circumstances of this case, we find that an award of $37.50 per week per child is more appropriate. See Minn. Session Law Service 1983, vol. 5 ch. 308 § 17. We reverse this case and remand it to the trial court to enter an order consistent with this opinion.

Marcia also requests attorneys fees for services rendered on appeal. We have authority to grant such a request. In re Marriage of Williams, 303 N.W.2d 160, 167 (Iowa 1981). Such a grant is generally based on the parties' respective abilities to pay. Id. at 167. We hold that George shall pay $450 towards Marcia's attorney fees accrued on appeal and all the court costs.

REVERSED AND REMANDED.