

IN THE COURT OF APPEALS OF IOWA

No. 7-272 / 96-634

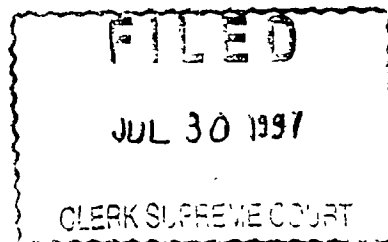
IN RE THE MARRIAGE OF SELISIA CELIVONN ARLEAUX 000001
AND STEPHEN MARKO ARLEAUX

Upon the Petition of
SELISIA CELIVONN ARLEAUX,

Appellee,

And Concerning
STEPHEN MARKO ARLEAUX,

Appellant.



Appeal from the Iowa District Court for Polk County, Ray A. Fenton, Judge.

Appellant appeals various economic provisions of the parties' dissolution decree. **AFFIRMED.**

Stephen M. Arleaux, Des Moines, pro se, appellant

Thomas E. Leahy of Legal Services Corporation, Des Moines, for appellee.

Considered by Cady, P.J., and Streit, and Vogel, JJ.

PER CURIAM

Stephen Arleaux appeals a decree for dissolution of marriage entered by the district court. We affirm on our de novo review.

Stephen and Selisia Arleaux were married in 1977. Selisia had a daughter, Krystal, at the time of the marriage. She was born June 30, 1975. Stephen adopted Krystal in 1978.

Selisia was employed during most of the marriage until May 1995, when she suffered a stroke. She has applied for social security disability benefits. Stephen is self-employed. He earns approximately \$1,200 a month. Selisia and Stephen have accumulated only a modest amount of property during their marriage. At the time of trial in August 1995, Selisia and Stephen were fifty-one years old.

Krystal graduated from a Des Moines high school in 1993 and matriculated to the University of Northern Iowa. She maintained a 3.8 grade point average in high school and aspires to be a teacher. She enrolled as a full-time student at the university in the fall of 1993.

Krystal suffered a back injury in the summer of 1995 while in Germany. Because of this injury, she was unable to return to the university for the fall semester. She planned to return to the university as a full-time student for the spring semester of 1996.

Krystal has worked while attending college to help pay for school expenses. She also obtained grants. Her expenses each semester are \$4,904.

The district court dissolved the marriage. Among other things, it divided the property and ordered Stephen to pay Selisia \$1,000 in a property settlement. Stephen was further ordered to pay monthly alimony to Selisia of \$150 for one year. Both parties were directed to contribute one-third of Krystal's college expenses.

The thrust of Stephen's appeal concerns his ardent belief he has no obligation to financially support Krystal while she attends college. He also claims the property division was inequitable and alimony was improper.

Our law speaks with abundant clarity that parents have a legal obligation to support their children. Iowa Code § 598.21(4) (1995); *In re Marriage of Golay*, 495 N.W.2d 123, 126 (Iowa App. 1992). Moreover, this obligation does not necessarily stop when a child reaches adulthood, but may extend to the period of time they are attending college. Iowa Code § 598.1(6); *In re Marriage of Rohlfen*, 398 N.W.2d 197, 199 (Iowa App. 1986). Although the extended obligation does not exist for married parents, the duty imposed on divorced parents properly serves to safeguard children of divorced parents against the fiscal problems and other obstacles that often accompany divorce. See *In re Marriage of Urban*, 293 N.W.2d 198, 202 (Iowa 1980). Thus, the duty is neither arbitrary or unreasonable and does not offend the notion of equal protection. *Id.*

In addition to his claim the duty to provide college support is violative of equal protection, Stephen broadly challenges the college support obligation on statutory grounds. His central argument is college support can only be awarded as an extension

of an existing child support obligation, and cannot be awarded after a child has achieved adulthood.

There is nothing in our statutory scheme to shoulder Stephen's argument. To the contrary, the statute clearly defines "support" to "include support for a child who is between the ages of eighteen and twenty-two" who is a full-time college student. Iowa Code § 598.1(6). It is not conditioned on minority. Instead, it recognizes the realities of post-high school education and the need for continued financial assistance from parents who have the financial means to provide such assistance. *See In re Marriage of Lindberg*, 462 N.W.2d 698, 700-01 (Iowa App. 1990). Stephen's argument is also contrary to the purpose of extending the obligation of support to college students. *See Urban*, 293 N.W.2d at 202-03.

We have considered all arguments raised by Stephen. In our de novo review, we affirm the decree entered by the trial court. In particular, we find the property was equitably divided, alimony was equitably imposed, and college support was properly awarded.

AFFIRMED.