IN THE COURT OF APPEALS OF IOWA

No. 7-237 / 96-1153

000249

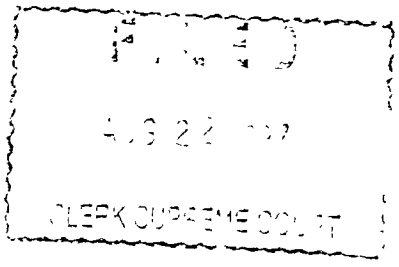
IN RE THE MARRIAGE OF JENNIFER FREIDEL REINGANUM AND MARC RICHARD REINGANUM

Upon the Petition of
JENNIFER FREIDEL REINGANUM,

Appellee,

And Concerning
MARC RICHARD REINGANUM,

Appellant.



Appeal from the Iowa District Court for Johnson County, August F. Honsell, Judge.

Appellant appeals a district court ruling modifying his child support obligation and visitation provisions. **AFFIRMED.**

William L. Meardon and Margaret T. Lainson of Meardon, Sueppel, Downer & Hayes, Iowa City, for appellant.

Sharon A. Mellon of Mellon & Spies, Iowa City, for appellee.

Considered by Cady, P.J., Vogel, J., and Hayden, S.J.*

*Senior judge from the Iowa Court of Appeals serving on this court by order of the Iowa Supreme Court.

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PER CURIAM

Marc Reinganum appeals an order modifying the child support and visitation provisions of a decree dissolving his marriage to Jennifer Reinganum. He claims the increase in child support is excessive and the visitation schedule is inadequate. We affirm.

The district court dissolved the marriage on April 11, 1989. At that time, Marc and Jennifer were professors at the University of Iowa. They continued to live and work in Iowa City. Under a stipulation incorporated into the decree, Jennifer maintained physical custody of the parties' two children, subject to Marc's visitation. Marc had regular visitation on Tuesday and Thursday evenings, every other weekend, Thanksgiving, Passover, Rosh Hashanah, Yom Kippur, Memorial Day, Father's Day, his birthday, and the second half of the children's winter vacation from school. He had visitation over the five weeks before Labor Day, and over spring break during even-numbered years.

The visitation arrangement continued until the spring of 1995. At that time, Jennifer informed Marc she intended to accept a position at Vanderbilt University in Nashville, Tennessee. Marc then accepted a position at Southern Methodist University in Dallas, Texas. Because these two cities are separated by 700 miles, the original visitation schedule became impractical. Marc petitioned the court to modify the visitation schedule to allow him visitation over each spring break and a longer

period over the summer. Jennifer submitted a visitation schedule of her own and requested the court increase Marc's child support obligation.

The court adopted Jennifer's visitation schedule, which provided Marc would have visitation on a three-day weekend in October, a three day weekend for President's Day, and Memorial Day weekend. Marc would also have visitation for the children's summer vacation, after the first four weeks passed, until three days before school commenced. Marc would also be allowed any visitation in Nashville mutually agreeable to Jennifer.

The court determined Marc had annual income of $166,600 and Jennifer had annual income of $125,844. Marc's net monthly income was greater than the largest income figure in the child support guidelines ($6,000). The amount of support set was left to the sound discretion of the court. This was subject to the requirement the amount could not be less than would be determined if his net monthly income was $6,000. *See* Iowa Code § 598.21 (1995) (child support guidelines). The minimum amount the court could order was $1,398 per month. The court set Marc's child support obligation at $1,700 per month. This was an increase above the minimum by $302 per month.

Our review of the district court's decision on the modification petition is de novo. *In re Marriage of Lee,* 486 N.W.2d 302, 304 (Iowa 1992). The court's findings of fact are entitled to weight, but they are not binding upon us. *In re Marriage of Kunkel,* 555 N.W.2d 250, 253 (Iowa App. 1996).

We hold the amount of child support was not excessive, and is fair and equitable. Marc's net monthly income exceeds the maximum figure listed in the child support guidelines by at least $2,000. It is not unreasonable his obligation be increased beyond the minimum amount the guidelines require if his income was only $6,000 per month. The trial court's increase of $302 per month, for a total obligation of $1,700 per month, is within the trial court's discretion.

Marc argues he has significant expenses because his wife does not work outside the home. Marc's financial affidavit listed the following monthly expenses:

Current child support	1,100
Mortgage payment	4,013
Homeowners insurance	237
Homeowners association dues	167
Real estate taxes	1,046
Life insurance	126
Disability insurance	90
Automobile insurance	171
Automobile gasoline	113
Automobile repairs and maintenance	148
Clothing	1,425
Charity	205
Synagogue	150
Dry cleaning	104
Entertainment	85
Groceries\OTC drugs\cleaning supplies	1,209
Haircuts	50
Lessons for Molly and Claire	138
Lawn maintenance	50
Legal\accounting	300
Unreimbursed medical	50
Security system	25
School tuition for Molly and Claire	877
Telephone	250
Utilities	333

Transportation (Dallas-Nashville)	805
Vacations	85
Miscellaneous	150
Total	$13,502

Like the trial court, we are not convinced Marc cannot make adjustments in his living expenses. We do not modify the amount of child support.

We hold the visitation schedule is fair and equitable. The first four weeks of summer shall be spent with Jennifer so the children may complete Little League baseball and have contact with her stepchildren, who are in her home for visitation during that time. Marc has the rest of the summer with the children. He has four extended weekend holidays and may have visitation in Nashville if Jennifer agrees. The summer visitation and extended weekends allow reasonable contact with the children without unduly exposing them frequently to 1,400 mile round trip journeys.

We affirm the district court's order. Each party shall pay its own attorney fees. Costs on appeal are taxed to Marc.

AFFIRMED.