FILED
DEC 21 1978
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF SUSANN RUTTENBERG and HAROLD RUTTENBERG

Upon the Petition of **SUSANN RUTTENBERG,** Appellant,	)	Filed December 21, 1978
And Concerning **HAROLD RUTTENBERG,** Appellee.	)	719 3-61207

Appeal from the Polk District Court - Harry Perkins, Judge.

Wife appeals from child custody provision of dissolution decree. Affirmed.

John R. Sandre, of Scalise, Scism, Gentry, Brick & Brick, of Des Moines, for appellant.

Glen L. Smith, of Des Moines, for appellee.

Heard by Oxberger, C.J., and Snell, Carter and Johnson, JJ. Donielson, J., takes no part.

PER CURIAM

Petitioner, Susann Ruttenberg, appeals from the provision of the October 27, 1977 dissolution decree which awarded custody of the parties' three minor children to respondent, Harold Ruttenberg. Our review is de novo. Rule 4, Rules of Appellate Procedure. In child custody matters we are guided by the principles stated in In re Marriage of Winter, 223 N.W.2d 165 (Iowa 1974). Our first and governing consideration is the best interest of the children. Rule 14(f)(15), R. App. P.; In re Marriage of Snyder, 241 N.W.2d 733 (Iowa 1976). We affirm the trial court.

The parties were married in 1963. Their eldest child, Adam, was born in 1967. Micheal was born in 1969, and Leslie, an adopted child, was born in 1972. Harold is an attorney, employed by the Meredith Corporation. Susann has a college degree in education but has not been employed since Adam's birth. Since the separation of the parties Susann has entered a business association to operate a restaurant in Des Moines named the Rib Joint.

The transcript and depositions which constitute the record in this case are extensive and have been duly examined. Both parents are fit to be custodians of the children. A restatement of Harold and Susann's personal involvements with others is unnecessary. Under all the circumstances, however, we agree with the trial court that Harold should be awarded custody. Susann's own testimony and the deposition of the court-appointed psychologist show her dissatisfaction with her role during the marriage. She has committed herself to a change in lifestyle. The psychologist, in his deposition and report, emphasized Susann's immaturity with regard to emotional and economic interests and her instability. Harold has committed himself to granting the children as much contact as possible with Susann and to maintaining their relationship with both sets of grandparents. Harold's situation is known and stable. We conclude it is in the children's best interest to award custody to him.

AFFIRMED.