FILED
NOV 26 1985
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE MARRIAGE OF MARY A. EDKIN AND BRUCE A. EDKIN

Upon the Petition of)
MARY A. EDKIN,)
Petitioner-Appellee,)
And Concerning)
BRUCE A. EDKIN,)
Respondent-Appellant.)

Filed November 26, 1985

5-512
84-1840

Appeal from the Iowa District Court for Muscatine County - Jack L. Burns, Judge

Respondent appeals from trial court's award of child support amount on modification. Petitioner requests attorney fees. **AFFIRMED AS MODIFIED.**

Robert DeKock, Muscatine, Iowa, for respondent-appellant.

David W. Newell, Muscatine, Iowa, for petitioner-appellee.

Considered by Donielson, P.J., Hayden, and Sackett, JJ.

HAYDEN, J.

The marriage of petitioner, Mary A. Edkin, and respondent, Bruce A. Edkin, was dissolved in January 1982. The dissolution decree awarded Mary sole custody of the parties' three children (Krista, born in December 1969; Andrew, born in December 1972; and Jacob, born in October 1979) and directed Bruce to pay child support of $250 per week. In March 1983, Bruce applied for a modification of the decree. He asked that custody of all of the parties' children be transferred to him. Krista and Andrew had come to live with him. Mary answered the application; she also requested an award of attorney fees. In its ruling, the trial court set up a joint custody arrangement with Bruce having physical care of Krista and Andrew and Mary having physical care of Jacob. The trial court directed Bruce to pay Mary child support of $140 per week, for Jacob. The trial court did not award Mary any attorney fees. Bruce has appealed from the trial court's ruling. He challenges both the amount of his child support obligation for Jacob and the trial court's failure to require Mary to pay him child support for Krista and Andrew. Mary requests attorney fees in the trial court and on appeal.

At the time of the original dissolution Mary was employed part-time earning $200 per month; she now earns $310 biweekly as manager of a clothing store. Bruce showed an income of $60,000 per year when the parties' marriage was dissolved and at the modification trial presented evidence that his annual income had decreased considerably, however the trial court found that his financial condition was at least not much worse than it had been at the time of the original decree and any change was the result of his own volition. His second wife has two children by prior marriage and they now have another child.

Bruce requests this court to reduce his child support payment to $30 per week and require Mary to pay him no less than $15 per week per child.

Our review is de novo. Iowa R. App. P. 4. In equity cases, especially when considering the credibility of witnesses, this court gives weight to the fact findings of the trial court, but is not bound by them. Iowa R. App. P. 14(f)(7).

Child support should be fixed on a case-by-case basis and that legal precedents are of little help in arriving at the amount to be set. Cooper v. Cooper, 259 Iowa 277, 282, 144 N.W.2d 146, 149 (Iowa 1966). The court contemplating a change in circumstances shall consider each parent's earning capacity, economic, and cost of living. § 598.21(8), The Code. We take judicial notice of the reduced purchasing power of the dollar when considering child support payments. Spaulding v. Spaulding, 204 N.W.2d 634, 636. We also weigh the factor of the increased needs of a growing child. Dworak v. Dworak, 195 N.W.2d 740, 742 (Iowa 1972). We also consider that Bruce is supporting Krista and Andrew without contribution from Mary. Both parents have an obligation to support their children although not necessarily equally but proportionately according to their ability and circumstances. See In re Marriage of Byall, 353 N.W.2d 103, 108 (Iowa Ct. App. 1984).

After considering all of the factors we determine that Mary is not required to pay child support to Bruce for Krista and Andrew and that Bruce shall pay $100 per month child support to Mary for Jacob until he attains the age of 18, marries, or is emancipated. The child support shall continue in any event until Jacob completes his high school education. So long as Bruce is current in the child support payments, at the end of his tax year he shall be entitled to claim Jacob as a dependent exemption on his federal and state income tax returns. Mary shall execute a multiple support agreement and/or any other requisite I.R.S. and Iowa Department of Revenue forms necessary to accomplish Bruce claiming Jacob as a dependent for income tax purposes. Mary shall deliver

he executed forms to Bruce on or before January 20th each calendar year. Ve modify the trial court's decree accordingly

We do not disturb the trial court's determination to not award Mary attorney ees at trial and each party shall pay his or her own attorney fees on appeal.

AFFIRMED AS MODIFIED.