IN THE COURT OF APPEALS OF IOWA

No. 5-474 / 94-1340

IN RE THE MARRIAGE OF THOMAS AUGUST FRANCIS AND DIANA MORA FRANCIS

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Upon the Petition of

THOMAS AUGUST FRANCIS,

Petitioner-Appellee,

And Concerning

DIANA MORA FRANCIS,

Respondent-Appellant.

FILED
MAR 27 1996
CLERK SUPREME COURT

Appeal from the Iowa District Court for Johnson County, Kristin L. Hibbs, Judge.

Diana Francis appeals from a modification of the parties' dissolution decree.

AFFIRMED.

C. Peter Hayek and Lisa A. Engh of Hayek, Hayek, Brown & Engh, L.L.P., Iowa City, for appellant.

Bruce L. Walker and Julie L. Pulkrabek of Phelan, Tucker, Mullen, Bright & Walker, L.L.P., Iowa City, for appellee.

Considered by Sackett, P.J., and Habhab and Streit, JJ.

PER CURIAM.

Respondent-appellant Diana Mora Francis appeals a trial court order modifying her dissolution decree and increasing the child support she receives and expanding petitioner-appellee Thomas August Francis's visitation. Diana contends she should have received additional child support and the increased child support should be increased as to the date her petition was filed. She also claims she should have the tax exemptions for the children. Diana further contends Thomas should not have received expanded visitation and she should have trial and appellate attorney fees. We affirm.

This marriage was dissolved in 1988. At the time, the parties and their children, born in 1980 and 1984, resided in Iowa City. Diana continues to reside with the children in Iowa City. Thomas lives in Arizona and has remarried.

Thomas's income has increased since the time of the dissolution and he admits his original child support obligation should be increased. He filed a motion, ordered submitted with this appeal, asking current child support guidelines be applied. We agree with him the current guidelines should be applied.

The issue is how the parties' respective incomes should be computed for child support purposes. We have considered the arguments advanced by both parties and consider the computations made by the trial court. We find the child support fixed by the trial court to be within the guideline amounts and affirm the trial court on the

amount of child support ordered, the allocation of exemptions, and the date for increased support to commence.

Diana next contends visitation modifications should not have been made. She contends a change in circumstances was not shown and the ordered visitation was not in the children's interest. Thomas met the necessary burden to modify visitation. *See In re Marriage of Jerome*, 378 N.W.2d 302, 305 (Iowa App. 1985). The trial court recited she talked with the children and considered a number of factors in arriving at what she considered should be the visitation. We find no reason to disagree with the trial court's decision on this issue.

Diana requested attorney fees in the trial court. An award of attorney fees rests in the trial court's discretion. *In re Marriage of Hopkins*, 453 N.W.2d 232, 235 (Iowa App. 1990). We affirm the trial court on this issue. Diana requests attorney fees on appeal. We award none. Costs on appeal are taxed one-half to each party.

AFFIRMED.