FILED
MAY 28 1985
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF WILLIAM DAVID GOOD AND OPAL LEE GOOD

Upon the Petition of)
WILLIAM DAVID GOOD,

Petitioner/Appellee/Cross-Appellant.)

And Concerning)
OPAL LEE GOOD,

Respondent/Appellant/Cross Appellee.)

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Appeal from the Iowa District Court for Des Moines County - Harlan W. Bainter, Judge.

Respondent, Opal Lee Good, appeals and Petitioner, William David Good, cross-appeals from trial court's order in their dissolution. AFFIRMED.

Bruce J. Schulte, of Dailey, Ruther, Bauer, Schulte, & Hahn, Burlington, for respondent/appellant/cross-appellee.

T. K. Ford, of Ford Law Offices, Burlington, for petitioner/appellee/cross-appellant.

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

SACKETT, J.

William and Opal were married in 1957. Their two children are now adults. William is now 49 and Opal is 45. Both parties have health problems but are able to maintain full time employment. William has worked for the Burlington Northern Railroad for over 28 years and grosses $2,785 monthly. Opal has worked for Brayton Chemical Co., for over 7 years and grosses approximately $860 monthly. Both parties have health insurance benefits through their employers.

The assets of the parties acquired during marriage totaled approximately $60,000. Opal's mother, Samantha, who lived with the parties during the last four years of her life, died prior to the hearing. Opal will receive Samantha's property.

The trial court divided the assets of the parties and awarded Opal $150 per month alimony.

William challenges the property award. Opal contends her alimony award is not sufficient. William contends Opal should not have received alimony.

The trial court carefully effectuated a nearly equal division of the marital property which should, after the sale of the house, result in each party receiving approximately $30,000 in assets. Opal was awarded all the assets that came to her from her mother. William does not challenge the fact that Opal received her mother's property, but he does challenge the award of marital property. The property award should be based on what is equitable under the circumstances. In Re Marriage of Cooper, 225 N.W.2d 915, 919 (Iowa 1975). We find the property division to be equitable and affirm it on appeal.

In determining alimony the trial court considered the assets Opal was to receive from her mother. Opal's primary complaint is that the trial court overvalued the assets she was to receive from her mother, and thus the trial court overvalued the assets Opal would have available for investment purposes. Opal introduced into evidence a typewritten statement showing her mother's assets to total $97,600 and liabilities to total $21,800, for an estimated estate balance of

$75,800. Most of the assets were held in the name of Samantha and Opal as joint tenants. The estate has not been probated and the evidence is unclear as to whether the estate will be probated. Opal testified her mother wanted $30,000 of the estate assets given to Opal's two sons. The $30,000 has not yet been given to them and there is no evidence Opal is under any legal obligation to do so. In addition to the estate assets which were itemized, Opal had taken $4,500 from an account of Samantha's prior to Samantha's death.

The trial court determined Opal's assumption that she was to receive $48,500 from Samantha is low. The trial court also determined Opal was very evasive when examined about her mother's alleged expenses and the money Opal received before Samantha's death. Opal does not agree with the trial court's determination and argues:

> The record shows there was no evidence inconsistent with Opal's estimate. Opal's estimate was based entirely upon information in the letter from her financial advisor. Opal had very little in the way of independent knowledge to add to the information contained in the exhibit.

Opal's argument in essence is that we must accept her testimony on its face without question and not expect her to know anything about her mother's assets.

We examined Opal's testimony with reference to the alleged expenses. Opal contends Samantha had approximately $6,000 in medical bills. Samantha had both Medicare and a Blue Cross-Blue Shield supplement. The insurance claims have not yet been processed, but Opal, as the trial court determined, refused to concede any of the bills would be paid by insurance. Opal claims $1,860 is due on a quarterly estimate of income taxes for Samantha. Opal claims legal and professional expenses of $4,000 for Samantha, despite the fact that the estate may not be probated; if it were, the statutory attorney fee would be approximately $1,400. Opal claims Samantha had a funeral expense of $5,345. However, $1,500 of that amount has been paid and the evidence as to the balance

due is garbled. The trial court determined the liabilities Opal claimed against her mother's estate were overstated, the record was unclear as to what amount of money Opal may have obtained from her mother, and Opal was to receive $45,800 to $60,000 from her mother's estate.

The dissolution law in Iowa contemplates a complete disclosure by both parties of their assets and liabilities. If parties do not understand their financial circumstances, they should have a person in court that does. Failure to supply complete information and answers, or answering questions on financial matters evasively goes to the credibility given to the witness' testimony. The trial court questioned the alleged expenses claimed and, from the pages of the transcript, we question Opal's credibility.

We determine the value placed on inherited property by the trial court is conservative. The determination of the trial court of the assets available to Opal is correct.

We reject Opal's claim for more alimony. William claims the alimony is too high or Opal should not be awarded alimony. This is a marriage of long duration, and Opal absented herself from the job market to assume care of the parties' children. We determine the alimony award to be equitable. See In Re Marriage of Beeh, 214 N.W.2d 170, 174 (Iowa 1974).

Opal's request for attorney fees and costs is denied. Each party is ordered to pay his/her own attorney fees and each is to pay one-half of the court costs.

AFFIRMED.