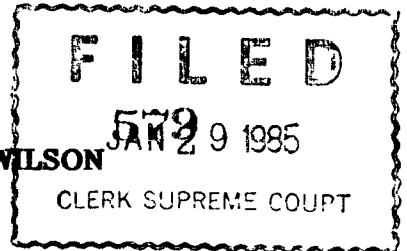


IN THE COURT OF APPEALS OF IOWA



IN RE THE MARRIAGE OF CARYN J. WILSON AND BRUCE L. WILSON

Upon the Petition of)

CARYN J. WILSON,)

Petitioner-Appellee,)

And Concerning)

BRUCE L. WILSON,)

Respondent-Appellant.)

Filed January 29, 1985

4-533
84-475

Appeal from the Iowa District Court for Polk County - Luther T. Glanton,
Judge.

Respondent appeals the child support provisions in the order modifying the
parties' dissolution decree. AFFIRMED.

Bruce L. Wilson, pro se.

Joseph G. Bertogli, Des Moines, Iowa, for appellee.

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

SCHLEGEL, J.

Respondent, Bruce Wilson, appeals the child support provisions in the order modifying the parties' dissolution decree. He asserts the child support obligation is excessive. Petitioner, Caryn Wilson, requests an award of attorney fees, both at the district court level and on appeal. We affirm the trial court's award of child support and award attorney fees on appeal.

In 1981, a decree was entered dissolving the marriage of the parties. Custody of their two children was awarded to Caryn, and the decree provided that Bruce "shall not be liable for any child support payments until the anticipated completion of his law studies and passing the bar examination to be administered in June, 1983, so long as he continues his studies." Jurisdiction was retained to decide the matter of child support payable by Bruce after his graduation and bar examination.

Bruce has finished his law school studies and has passed the bar examination, but has not found employment either in the practice of law or in his former occupation as an accountant. The court found, however, that there is employment available to him in Kansas City at the range of approximately \$22,000 per year, a figure equal to the salary Bruce earned before he started law school. Bruce is reluctant to accept such employment because of his father's health and his desire to remain close to his children.

The trial court ordered Bruce to pay \$100 per week as child support, but held that as long as Bruce remained unemployed, he would be allowed to pay \$50 per week and defer the remaining \$50. The delinquent amount, however, will accumulate and must be paid later.

Bruce claims that the amount set was improper, and that the court penalized him for his having been excused from paying child support while he completed his schooling. We find this contention to be without merit.

Bruce also raises other claims to justify his belief that the amount of child support is excessive. We find these claims to be without merit. Considering the factors listed in Iowa Code section 598.21(4) and the record as a whole, we believe that the amount of child support ordered by the trial court was proper. The amount set represents a fair and equitable division of the obligation of support between the parents of these children.

Caryn seeks attorney fees in both the trial court and on this appeal. Without determining the reasonable attorney fees on this appeal, we order Bruce to pay \$600 of Caryn's attorney fees for this appeal. We make no award for fees at the trial court level.

Caryn's motion to dismiss Bruce's appeal, ordered submitted with this appeal, is overruled in view of our holding herein.

AFFIRMED.