

IN THE COURT OF APPEALS OF IOWA

No. 2-1082 / 12-0431
Filed February 13, 2013

**IN RE THE MARRIAGE OF JULIANA F. CAIN
AND JOSHUA L. CAIN**

**Upon the Petition of
JULIANA F. CAIN,**
Petitioner-Appellant,

**And Concerning
JOSHUA L. CAIN,**
Respondent-Appellee.

Appeal from the Iowa District Court for Woodbury County, Jeffrey A. Neary, Judge.

Juliana Cain appeals the custodial provisions of the district court's decree dissolving her marriage to Joshua Cain. **AFFIRMED.**

Jeffrey T. Myers of Hutchinson, Myers, Eckert & Vohs, Sioux City, for appellant.

Scott L. Bixenman of Murphy, Collins & Bixenman, P.L.C., LeMars, for appellee.

Considered by Potterfield, P.J., and Danilson and Tabor, JJ.

DANILSON, J.

Juliana Cain appeals the custodial provisions of the district court's decree dissolving the parties' short-term marriage. Juliana contends the district court erred in awarding the parties joint physical care. We affirm.

We have carefully reviewed the record de novo, *see In re Marriage of Brown*, 776 N.W.2d 644, 647 (Iowa 2009), and, like the district court, we wish to commend the parties for their respectful conduct toward one another, mutual acknowledgement of the other's positive parenting abilities, and obvious love for their child. These positive qualities extend to the parties' parents, who are all cooperating in the care of the child. It is indeed "refreshing."

The court must consider joint custody on application of a parent. *See* Iowa Code § 598.41(2)(a) (2011). Joshua Cain did request joint custody and shared physical care. Both parties are good parents, have stable lives, and have flexibility in their jobs. The only factor favoring sole physical care is the fact that Juliana provided most of the young child's physical care, but in many respects the marriage was a team effort. The trial court considered all relevant factors, *see id.* § 598.41(3), and concluded that "due to the parties' exceptional ability to get along and work towards the best interest of their child that joint physical care of E.E.C. will work between them." The arrangement maximizes the child's time spent with parents, and minimizes the time the child would otherwise spend in daycare. We adopt the court's findings and conclusions as our own and therefore affirm without further opinion. *See* Iowa Ct. R. 21.29(1)(a), (d), and (e).

AFFIRMED.