

HOUSE BILL 149

D4

8lr1229

By: **Delegate Dumais**

Introduced and read first time: January 18, 2008

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Counsel for Minor – Payment of Fees**

3 FOR the purpose of authorizing a court to impose against one or more parties certain
4 counsel fees for the representation of a minor child in certain proceedings; and
5 generally relating to the payment of certain counsel fees for the representation
6 of a minor child in certain proceedings.

7 BY repealing and reenacting, with amendments,
8 Article – Family Law
9 Section 1–202
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Family Law**

15 1–202.

16 (a) In an action in which custody, visitation rights, or the amount of support
17 of a minor child is contested, the court may:

18 (1) (i) appoint a lawyer who shall serve as a child advocate
19 attorney to represent the minor child and who may not represent any party to the
20 action; or

21 (ii) appoint a lawyer who shall serve as a best interest attorney
22 to represent the minor child and who may not represent any party to the action; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) impose **COUNSEL FEES** against [either or both parents counsel
2 fees] **ONE OR MORE PARTIES TO THE ACTION.**

3 (b) A lawyer appointed under this section shall exercise ordinary care and
4 diligence in the representation of a minor child.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2008.