

HOUSE BILL 149

D4

8lr1229

By: **Delegate Dumais**

Introduced and read first time: January 18, 2008

Assigned to: Judiciary

Committee Report: Favorable

House action: Adopted

Read second time: February 12, 2008

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.