

CHAPTER 488

(House Bill 149)

AN ACT concerning

Family Law – Counsel for Minor – Payment of Fees

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

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

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

Article – Family Law

1–202.

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

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

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

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

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

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

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MARTIN O'MALLEY, Governor

Approved by the Governor, May 13, 2008.