
By: **Delegate Petzold**
Introduced and read first time: February 12, 1999
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law - Appointment of Counsel for Minors - Contested Custody and**
3 **Visitation Cases**

4 FOR the purpose of requiring, rather than authorizing, a court to appoint counsel for
5 a minor child in a contested custody or visitation case; requiring counsel fees to
6 be paid in a certain proportion under certain circumstances; and generally
7 relating to the appointment of counsel for minors in contested custody and
8 visitation cases.

9 BY repealing and reenacting, with amendments,
10 Article - Family Law
11 Section 1-202
12 Annotated Code of Maryland
13 (1999 Replacement Volume)

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

16 **Article - Family Law**

17 1-202.

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

20 (1) appoint to represent the minor child counsel who may not represent
21 any party to the action; and

22 (2) impose against either or both parents counsel fees.

23 (B) IN AN ACTION IN WHICH CUSTODY OR VISITATION OF A MINOR CHILD IS
24 CONTESTED, THE COURT:

25 (1) SHALL APPOINT TO REPRESENT THE MINOR CHILD COUNSEL WHO
26 MAY NOT REPRESENT ANY PARTY TO THE ACTION; AND

1 (2) MAY IMPOSE AGAINST EITHER OR BOTH PARENTS COUNSEL FEES.

2 (C) IF THE COURT IMPOSES COUNSEL FEES AGAINST BOTH PARENTS UNDER
3 THIS SECTION, THE FEES SHALL BE PAID IN PROPORTION TO EACH PARENT'S
4 INCOME.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 1999.