

(2) WHETHER THERE WAS SUBSTANTIAL JUSTIFICATION FOR PROSECUTING OR DEFENDING THE PROCEEDING.

(D) UPON A FINDING BY THE COURT THAT THERE WAS AN ABSENCE OF SUBSTANTIAL JUSTIFICATION OF A PARTY FOR PROSECUTING OR DEFENDING THE PROCEEDING, AND ABSENT A FINDING BY THE COURT OF GOOD CAUSE TO THE CONTRARY, THE COURT SHALL AWARD TO THE OTHER PARTY THE REASONABLE AND NECESSARY EXPENSE OF PROSECUTING OR DEFENDING THE PROCEEDING.

(E) THE COURT MAY AWARD REIMBURSEMENT FOR ANY REASONABLE AND NECESSARY EXPENSE THAT HAS PREVIOUSLY BEEN PAID.

(F) AS TO ANY AMOUNT AWARDED FOR COUNSEL FEES, THE COURT MAY:

(1) ORDER THAT THE AMOUNT AWARDED BE PAID DIRECTLY TO THE LAWYER; AND

(2) ENTER JUDGMENT IN FAVOR OF THE LAWYER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply only to cases filed on or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 13, 1999.

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## CHAPTER 392

### (House Bill 98)

AN ACT concerning

#### Courts - Costs - Sheriffs' Fees

FOR the purpose of authorizing sheriffs to collect certain fees based on certain agreements with the Child Support Enforcement Administration of the Department of Human Resources; limiting the amount of costs that a court may award to a party in a certain proceeding; providing for the application of this Act; and generally relating to sheriffs' fees.

BY repealing and reenacting, with amendments,  
Article - Courts and Judicial Proceedings  
Section 7-402  
Annotated Code of Maryland  
(1998 Replacement Volume)

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