

TITLE 12. CHILD SUPPORT.

12-101. AWARD OF COSTS AND COUNSEL FEES.

(A) IN GENERAL.

THE COURT MAY AWARD TO EITHER PARTY THE COSTS AND COUNSEL FEES THAT ARE JUST AND PROPER UNDER ALL THE CIRCUMSTANCES IN ANY CASE IN WHICH A PERSON:

(1) APPLIES FOR A DECREE OR MODIFICATION OF A DECREE CONCERNING THE CUSTODY, SUPPORT, OR VISITATION OF A CHILD OF THE PARTIES; OR

(2) FILES ANY FORM OF PROCEEDING:

(I) TO RECOVER ARREARAGES OF CHILD SUPPORT; OR

(II) TO ENFORCE A DECREE OF CHILD SUPPORT.

(B) REQUIRED CONSIDERATIONS.

BEFORE A COURT MAY AWARD COSTS AND COUNSEL FEES UNDER THIS SECTION, THE COURT SHALL CONSIDER:

(1) THE FINANCIAL STATUS OF EACH PARTY;

(2) THE NEEDS OF EACH PARTY; AND

(3) WHETHER THERE WAS SUBSTANTIAL JUSTIFICATION FOR BRINGING OR DEFENDING THE PROCEEDING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 16, § 5A.

In subsection (a)(1) of this section, "support" is substituted for the former reference to "amount of support", for clarity, brevity, and accuracy.

Defined term: "Support" § 1-101

12-102. CENTRAL REGISTRY OF RECORDS.

(A) IN GENERAL.

(1) THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION OF THE DEPARTMENT OF HUMAN RESOURCES SHALL MAINTAIN A CENTRAL REGISTRY OF RECORDS OF ALL IDENTIFYING INFORMATION THAT RELATES TO PARENTS WHO HAVE DESERTED OR WHO APPEAR TO HAVE DESERTED THEIR CHILDREN.

(2) THE CHILD SUPPORT ENFORCEMENT ADMINISTRATION SHALL LIST THESE PARENTS IN THE REGISTRY WHETHER OR NOT THEIR CHILDREN ARE LIKELY TO BECOME RECIPIENTS OF PUBLIC ASSISTANCE OR FOSTER CARE.