

- (1) the financial resources and financial needs of both parties; and
- (2) whether there was substantial justification for prosecuting or defending the proceeding.

~~(D) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ABSENT A FINDING BY THE COURT OF GOOD CAUSE TO THE CONTRARY, THE COURT SHALL AWARD TO A PARTY WHO HAS BEEN AWARDED ALIMONY THE REASONABLE AND NECESSARY EXPENSE INCURRED IN FILING AND LITIGATING ANY PROCEEDING TO ENFORCE THE AWARD OF ALIMONY. 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.~~

[(d)](E) The court may award reimbursement for any reasonable and necessary expense that has previously been paid.

[(e)](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.

12-103.

(a) ~~{The}~~ ~~EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, 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) ~~{Before}~~ ~~EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION,~~ ~~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.

~~(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ABSENT A FINDING BY THE COURT OF GOOD CAUSE TO THE CONTRARY, THE COURT SHALL AWARD COSTS AND COUNSEL FEES INCURRED BY A PARTY WHO FILES A PROCEEDING TO~~