

NORTH CAROLINA GENERAL ASSEMBLY
1973 SESSION

CHAPTER 323
SENATE BILL 27

AN ACT TO AMEND G.S. 50-13.6 RELATING TO COUNSEL FEES IN CHILD
CUSTODY AND SUPPORT ACTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 50-13.6 is hereby rewritten to read as follows:

"§ 50-13.6. Counsel fees in actions for custody and support of minor children. — In an action or proceeding for the custody or support, or both, of a minor child, including a motion in the cause for the modification or revocation of an existing order for custody or support, or both, the court may in its discretion order payment of reasonable attorney's fees to an interested party acting in good faith who has insufficient means to defray the expense of the suit. Before ordering payment of a fee in a support action, the court must find as a fact that the party ordered to furnish support has refused to provide support which is adequate under the circumstances existing at the time of the institution of the action or proceeding; provided however, should the court find as a fact that the supporting party has initiated a frivolous action or proceeding the court may order payment of reasonable attorney's fees to an interested party as deemed appropriate under the circumstances."

Sec. 2. This act shall become effective July 1, 1973.

In the General Assembly read three times and ratified, this the 7th day of May, 1973.