

407.5313 Costs and fees.

- (1) The petitioner may not be required to pay a filing fee or other costs.
- (2) If the obligee prevails, a responding tribunal may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or the responding state, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs and expenses.
- (3) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that the hearing was requested primarily for delay. In a proceeding under KRS 407.5601 to 407.5612, a hearing is presumed to have been requested primarily for a delay if a registered support order is confirmed or enforced without change.

Effective: March 23, 1998

History: Contingent effective date repealed 1998 Ky. Acts ch. 101, sec. 20, effective March 23, 1998. -- Created 1996 Ky. Acts ch. 365, sec. 37, effective upon contingency.