Effective 9/1/2024
Superseded 5/6/2026
81-1-203 Award of costs and attorney and witness fees -- Temporary support and maintenance.

(1)
(a) In an action filed under Chapter 4, Dissolution of Marriage, Title 78B, Chapter 7, Part 6, Cohabitant Abuse Protective Orders, or in an action to establish an order of custody, parent-time, child support, alimony, or the division of property in a domestic case, the court may order a party to pay the costs, attorney fees, and witness fees, including expert witness fees, of the other party to enable the other party to prosecute or defend the action.
(b) The order under Subsection (1)(a) may include a provision for costs of the action.
(2) In an action to enforce an order of custody, parent-time, child support, alimony, or division of property in a domestic case, the court may award costs and attorney fees upon determining that the party substantially prevailed upon the claim or defense.
(3) The court, in the court's discretion, may award no fees or limited fees against a party if the court finds the party is indigent or enters in the record the reason for not awarding fees.
(4) In an action described in Subsection (1), the court may order a party to provide money, during the pendency of the action, for the separate support and maintenance of the other party and of a minor child in the custody of the other party.
(5) The court may amend an order entered in accordance with this section before the entry of the final order or judgment or in the final order or judgment.