

1-127. Attorney fees in domestic relations cases.

A motion for attorney fees pursuant to Rule 1-054 NMRA shall include an itemization of time expended and an affirmation that the fees claimed are correctly stated and necessary. In awarding fees, the court shall consider relevant factors presented by the parties, including but not limited to:

- A. disparity of the parties' resources, including assets and incomes;
- B. prior settlement offers;
- C. the total amount of fees and costs expended by each party, the amount paid from community property funds, any balances due and any interim advance of funds ordered by the court; and
- D. success on the merits.

[Approved, effective November 1, 2000 until November 1, 2001; approved, effective November 1, 2001.]