§ 2301. Costs, general

1. Costs and allowances in the court shall be awarded solely in accordance with this article and shall include all disbursements of the party awarded costs which might be taxed in the supreme court.

2. Any award for costs or an allowance is in all instances discretionary with the court. The amount allowed must be fixed by the court and inserted in the decree or order.

3. All costs taxed and any allowance granted to reimburse a party in part or in whole for counsel fees or other expenses necessarily paid or incurred shall be awarded to the party but the whole or any part thereof may be made payable to an attorney rendering services to the party in the proceeding or on the appeal, except as otherwise provided in subdivision 8 of the succeeding section.

4. Except where special provision is otherwise made by law costs or an allowance may be made payable by any party personally or out of the assets of the estate or out of the share or interest of any person or from both in such proportion as directed by the court and justice requires.

5. In any proceeding the court may direct that the grant of costs or an allowance be reserved for supplemental decree to be entered after the time to appeal has expired or if an appeal be taken, after final determination of the appeal.