

Senate Children and Family Law Committee

Declan Donahue 271-3324

HB 1643, relative to the report of a guardian ad litem.

Hearing Date: April 2, 2026

Time Opened: 9:40 a.m.

Time Closed: 9:50 a.m.

Members of the Committee Present: Senators Abbas, Sullivan and Long

Members of the Committee Absent : None

Bill Analysis: This bill removes the authority of the court to request that the guardian ad litem's report propose an allocation of decision-making responsibility; a parenting plan; or a specific parenting schedule.

Sponsors:

Rep. Rice

Rep. Noble

Rep. Notter

Rep. Packard

Rep. Osborne

Rep. Nelson

Rep. DeSimone

Rep. Kofalt

Sen. Abbas

Sen. Sullivan

Who supports the bill: Rep. Debra DeSimone, Rep. Jeanine Notter, Rep. Kim Rice, Denise Costello, Curtis Howland, Pamela Harders, Dan Richardson

Who opposes the bill: Cory Stone, Tami Lanzillo Zeimetz, Lisa Rivard

Summary of testimony presented:

Representative Kim Rice (Hillsborough - District 38)

- HB 1643 clarifies the proper role of the guardian ad litem: to be a neutral party interviewing and gathering facts, not to make decisions or issue recommendations.
- The judge may still ask them, but this bill is to ensure they are one piece of the puzzle instead of one voice with an outsized role.
- Senator Long inquired if we are taking some decision making authority away from the judge by limiting their ability to ask the guardian ad litem questions like which parent is more responsible.
 - No, the judge can read the report and come to their own conclusions based on the facts without the bias of the guardian ad litem. This ensures judges read the entire report and not just the bottom line recommendations from the guardian ad litem.

- Senator Long asked if this also pertains to C.A.S.A.
 - Just the guardian ad litem and family court cases pertaining to parenting time and similar issues.

Representative Jeanine Notter (Hillsborough - District 12)

- HB 1643 clarifies the role of the guardian ad litem as investigative and not in making decisions.
- The report should focus on factual findings and observations as opposed to recommendations on parenting plans and decision making authority.
- This will maintain clear boundaries between the investigative role of the guardian ad litem and the judicial role of the court.
- All parties involved will benefit from a report free of prescriptive conclusions.

Representative Debra DeSimone (Rockingham - District 18)

- While being on the G.I.L. board, Rep. DeSimone is not testifying on their behalf.
- Guardians ad litem receive an intense amount of training and are constantly reminded that they are not to be making judicial decisions and not trained to recommend anything to the judge.
- The role of the guardian ad litem is to intervene between children and courts since going to court and sitting before a judge can be intimidating for children.
- The judge has the right to call the guardian ad litem into their chamber or as a witness to get their opinion, but never to get a recommendation from them.
- Guardians ad litem are used to make recommendations and decisions, and this bill will keep things moving forward in the right direction.
- Senator Long asked if the judge can call the guardian ad litem in to ask questions about parenting schedules.
 - They can be called in to give their opinion on facts that have already been given to the judge concerning conversations they've had with the children.
- Senator Long asked if these opinions are specific to parenting schedules.
 - They can give their opinion on the discussion they had with the children, not which parent should be with the child.

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Date Hearing Report completed: April 8, 2026