

Senate Judiciary Committee

Trevor Currier 271-4151

SB 414, relative to enforcement of marital property settlements.

Hearing Date: February 12, 2026

Time Opened: 3:39 p.m.

Time Closed: 4:02 p.m.

Members of the Committee Present: Senators Gannon, Abbas, Carson, Altschiller and Reardon

Members of the Committee Absent : None

Bill Analysis: This bill clarifies that if a court finds any party in contempt relating to any proceeding related to the enforcement of marital property settlements, the court shall fashion a remedy that immediately rectifies the cause of the contempt, if practicable, such as ordering immediate access to funds, payment, or property that has been withheld.

Sponsors:

Sen. Altschiller

Who supports the bill: Susan Swartz

Who opposes the bill: Daniel Richardson and Mary Briggs

Who is neutral on the bill: No one.

Summary of testimony presented in support:

Senator Debra Altschiller, *Senate District 24*

- Senator Altschiller introduced and testified in support of Senate Bill 414.
- Sen. Altschiller stated she has received many constituent requests over the past three years from women after a family court has granted them divorces.
- She stated that her constituents would be granted their divorce by the court, but the other party involved would ignore court orders on many aspects of the judgment, such as alimony, child support, and health insurance.
- She established that the only solution to the issue she described is to file for contempt, which can create a cycle of events as the bills continue to accumulate and the party responsible keeps ignoring court orders.

- She emphasized line four of the bill, which requests the court provide an immediate remedy to address the root cause of the contempt.
- Senator Abbas asked if Senator Altschiller would be open to an amendment allowing the collection of legal fees. Senator Altschiller stated that if this is not addressed in a different section of the law, she would support the amendment.
- Senator Gannon asked whether Senator Altschiller found, through her conversations with constituents, that the party responsible for paying cannot do so or that the party simply does not want to pay. Senator Altschiller said that the women who contacted her office have had judgments in their favor, and the other party had available assets they chose not to pay, forcing her constituents to file contempt charges. She added that the court has already determined that the party is able to pay the judgment.
- Senator Carson asked if, oftentimes, the party responsible for paying refuses to do so out of anger and revenge, continuing to victimize and control the ex-wife. Senator Altschiller agreed with Senator Carson.

Susan Swartz

- Ms. Swartz testified in support of Senate Bill 414.
- Ms. Swartz defined coercive control and how it can appear through financial and emotional abuse.
- Ms. Swartz described her and her ex-husband's relationship and eventually the downfall of the relationship, and the abuse she endured.
- Ms. Swartz stated that while she had to wait for her trial for divorce, which was delayed due to the pandemic, she accumulated \$120,000 in credit card debt.
- She shared that her divorce was granted due to her ex-husband's infidelity and abuse, and she was granted a large settlement. Her ex-husband asked for reconsideration but was denied. He then appealed to the Supreme Court, which continued the cycle of Ms. Swartz receiving only some of her alimony and building upon the existing mountain of credit card debt.
- She stated that the New Hampshire Supreme Court reaffirmed her original settlement. She also shared that her ex-husband still refuses to comply with the judgment, that her contempt filings have been ignored, and that he continues to acquire large assets.
- Senator Carson asked whether Ms. Swartz had filed a complaint against the judge in her case, who allegedly refused to enforce the judgment. Ms. Swartz stated her lawyer advised her to wait until the judge rendered a decision.
- Senator Abbas asked if Ms. Swartz's ex-husband was ever found to be in contempt. She replied that he has never been found to be in contempt.
- Senator Altschiller mentioned that she is aware of women being cautious about filing complaints because they still have an active case before the judge.

- Senator Carson advised Senator Altschiller to speak with the Chief Administrative Judge and offered her support.
- Senator Abbas mentioned that it may be worth implementing a strict time period for the determination of the complaint of contempt.
- Ms. Swartz established that when a complaint is filed against a judge, it is reviewed by a committee that meets only once a month, and the burden of proof rests on the complainant.
- Senator Carson asked if Ms. Swartz had requested an expedited hearing. Ms. Swartz replied that she filed an expedited motion ten days ago and has received nothing.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

T.C.

Date Hearing Report completed: February 13, 2026