

HB 335-FN - AS INTRODUCED

2025 SESSION

25-0577

11/09

HOUSE BILL ***335-FN***

AN ACT requiring courts to order a minor and their family have psychological evaluations and, if necessary, counseling, where parental rights and responsibilities are contested in a family court matter.

SPONSORS: Rep. Post, Hills. 42; Rep. Ball, Rock. 25; Rep. Nelson, Rock. 13; Rep. Panek, Hills. 1; Rep. Perez, Rock. 16; Rep. Polozov, Merr. 10; Rep. Popovici-Muller, Rock. 17; Rep. Potucek, Rock. 13

COMMITTEE: Children and Family Law

ANALYSIS

This bill requires a court to order a risk assessment and, if necessary, counseling, where parental rights and responsibilities are contested in a family court matter.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT requiring courts to order a minor and their family have psychological evaluations and, if necessary, counseling, where parental rights and responsibilities are contested in a family court matter.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Subparagraph; Required Risk Assessment. Amend RSA 461-A:4, II by inserting after
2 subparagraph (h) the following new subparagraph:

3 (i) Court-ordered risk assessments.

4 2 New Section; Court-Ordered Risk Assessments. Amend RSA 461-A by inserting after section
5 6 the following new section:

6 461-A:6-a Court-Ordered Risk Assessments.

7 I. In contested divorce proceedings where a minor child under the age of 18 years rejects or
8 is being withheld from a parent, the court shall order a risk assessment within 14 days of the initial
9 petition for divorce, the cost of which shall be borne equally by the parties. The risk assessment
10 shall be performed by a clinical psychologist credentialed in scientific research of and applied
11 knowledge in the following areas:

12 (a) Family systems therapy to assess family conflict.

13 (b) Attachment pathology to assess a child rejecting a parent.

14 (c) Trauma pathology to assess possible child abuse or spousal abuse.

15 (d) Personality pathology to assess possible narcissistic-borderline-dark personality
16 pathology.

17 (e) Child development to assess childhood pathology across multiple child developmental
18 levels.

19 (f) Self-psychology to assess psychological development of children within the parent-
20 child relationships.

21 II. A risk assessment order shall include the following constructs to be evaluated:

22 (a) A possible shared shared/induced persecutory delusion.

23 (b) A possible factitious attachment pathology being imposed on the child for secondary
24 gain to the parent.

25 (c) A possible psychological child abuse.

26 (d) A parent-child relational problem.

27 (e) A child affected by parental relationship distress.

28 (f) Identity disturbance due to prolonged and intense coercive persuasion.

HB 335-FN - AS INTRODUCED

- Page 2 -

1 (g) Possible spousal psychological abuse of one parent using the child's induced
2 pathology as the spousal abuse weapon.

3 III. The risk assessment shall be performed within a reasonable period of time, but not to
4 exceed 8 weeks after the order.

5 IV. The court shall require the clinical psychologist to include in their report a diagnosis and
6 treatment plan, and the court's order shall include a directive that appropriate medical standards
7 and mandatory ethics codes of all psychologists shall apply.

8 3 Effective Date. This act shall take effect upon its passage.

LBA
25-0577
12/19/24

**HB 335-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring courts to order a minor and their family have psychological evaluations and, if necessary, counseling, where parental rights and responsibilities are contested in a family court matter.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation has a total fiscal impact of less than \$10,000 in each of the fiscal years 2025 through 2028.

AGENCIES CONTACTED:

Judicial Branch