

HB 350-FN - AS INTRODUCED

2025 SESSION

25-0142

11/09

HOUSE BILL ***350-FN***

AN ACT requiring that all family division hearings be video and audio recorded and broadcast live.

SPONSORS: Rep. Post, Hills. 42; Rep. Layon, Rock. 13; Rep. Edwards, Rock. 31; Rep. Perez, Rock. 16; Rep. DeRoy, Straf. 3; Rep. Aures, Merr. 13; Rep. Love, Rock. 13

COMMITTEE: Children and Family Law

ANALYSIS

This bill requires that the family division audio and video record all proceedings and broadcast live proceedings upon request of named parties or representatives.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 that all family division hearings be video and audio recorded and broadcast live.

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

1 1 New Section; Recording and Broadcasting Proceedings. Amend RSA 490-D by inserting after
2 section 490-D:15 the following new section:

3 490-D:16 Recording and Broadcasting Family Division Proceedings.

4 I.(a) All family division proceedings shall be audio and video recorded by the family division.
5 The recording shall include audio and video of all courtroom proceedings.

6 (b) Recordings made under this section shall not be considered the official transcript of
7 the proceedings. Only transcriptions prepared by a designated transcriber authorized under
8 supreme court order or rule shall be the official record.

9 II. Nothing in this section precludes any person or media outlet from recording a family
10 division proceeding according to existing court administrative rules or orders.

11 III. The family division shall broadcast live any family division proceeding that is not
12 deemed confidential or closed to the public by statute, court rule, or order, if requested to do so by
13 the plaintiff, defendant, or named representative for either.

14 (a) The presiding judge shall grant the request unless the opposing party or named
15 representative shows by a preponderance of the evidence that the broadcast is more likely than not
16 to cause specific irreparable harm to a party or witness. Upon such showing, the judge shall not
17 broadcast only the portion or portions of the proceeding that create the harm to that party or
18 witness. The judge shall state the basis for his or her findings on the record prior to the proceeding.

19 (b) The link to the live broadcast shall be available to the public through the clerk's
20 office at the location where the proceeding takes place.

21 IV. Copies of video and audio recordings shall be made available by the court clerk's office to
22 the same extent as any information in a court file. The court shall not unreasonably restrict the
23 ability to obtain copies of video and audio recorded proceedings.

24 2 Effective Date. This act shall take effect January 1, 2026.

**HB 350-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring that all family division hearings be video and audio recorded and broadcast live.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	\$0	\$0	\$0
<i>Revenue Fund(s)</i>	None			
Expenditures*	\$0	A minimum of \$984,000	A minimum of \$604,000	A minimum of \$622,000
<i>Funding Source(s)</i>	General Fund			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

METHODOLOGY:

This bill requires that the family division audio and video record all proceedings and broadcast live proceedings upon request of named parties or representatives. The Judicial Branch currently provides some live-streaming and recorded oral arguments at the Supreme Court. The Branch indicates the costs for providing live-streaming in all Family Division courtrooms throughout the state are difficult to estimate because of scaling challenges between the Branch's current limited live-streaming practices and the large number of cases in which staff and technology would need to be available.

While the courts have not conducted a competitive RFP process for this cost estimate, it is possible that installation of the necessary technology to live-stream in one courtroom for each of 32 Circuit Court Family Division locations could be in the hundreds of thousands of dollars (assuming \$21,750 in fit-up costs per courtroom, with estimate ongoing annual maintenance costs of \$1,463 per location). It is assumed all 32 locations would be fit-up in FY 2026. The courts anticipate a need to hire at least one IT staff member (such as Support Desk Technician I) to support court staff with operation of equipment and to provide ongoing maintenance and support for the additional technology in the courtrooms. It is estimated cost for this position is \$49,300 in FY 2026, \$96,400 in FY 2027 and \$99,800 in FY 2028.

There are currently no court staff in the courtrooms to manage the technology associated with live-streaming. The Branch estimates that providing such court staff could require the hiring of as few as six and potentially as many as eighteen additional court staff, depending on how frequently live-streaming of proceedings is requested. Based on six additional staff (court operations specialists) the estimated fiscal impact is \$238,900 in FY2026, \$461,000 in FY 2027 and \$475,000 in FY 2028. For hearing and trial presentations, these staff would assist in ensuring dynamic recording that would capture movement and speaking around the room, including by the judge, litigants, and witnesses, as well as focusing in on evidentiary displays. Web hosting and other incidental costs have not been included.

The Branch indicated a willingness to work with the legislature on a pilot program if it would assist the legislature in obtaining a better sense of the costs associated with expanding live-streaming. It may be advantageous to begin with live-streaming cases of high public interest, although the legislature could choose any topic or location as the best choice for a pilot program.

AGENCIES CONTACTED:

Judicial Branch