

HB 543 - AS INTRODUCED

2025 SESSION

25-0903

11/09

HOUSE BILL

543

AN ACT establishing a committee to study how the family division customarily treats accusations of domestic violence and to study current family division practices relative to the right to testify and right to submit evidence.

SPONSORS: Rep. Litchfield, Rock. 32; Rep. Kuttub, Rock. 17; Rep. DeVito, Rock. 8

COMMITTEE: Children and Family Law

ANALYSIS

This bill establishes a committee to study how the family division customarily treats accusations of domestic violence and to study current family division practices regarding the right to testify and right to submit evidence.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 establishing a committee to study how the family division customarily treats accusations of domestic violence and to study current family division practices relative to the right to testify and right to submit evidence.

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

1 1 Committee Established. There is established a committee to study how the family division
2 customarily treats accusations of domestic violence and whether and how current family division
3 practices violate rights such as the right to testify and right to submit evidence.

4 2 Membership and Compensation.

5 I. The members of the committee shall be as follows:

6 (a) Three members of the house of representatives, appointed by the speaker of the
7 house of representatives.

8 (b) One member of the senate, appointed by the president of the senate.

9 II. Members of the committee shall receive mileage at the legislative rate when attending to
10 the duties of the committee.

11 3 Duties. The committee shall study how the family division customarily treats accusations of
12 domestic violence and shall study current family division practices of violating rights such as the
13 right to testify and right to submit evidence. To carry out this directive, the committee shall:

14 I. Hold monthly hearings to provide an opportunity for members of the public to testify
15 about their personal or professional experience with the family division. At each monthly meeting,
16 members of the public will have both an opportunity to testify and the option of submitting written
17 testimony to an email address created for the committee. Without violating privacy, the committee
18 shall hear stories of cases and decisions in family division matters.

19 II. Study the following:

20 (a) The frequency with which the family division renders shared custody decisions.

21 (b) The effect of domestic abuse of a parent on a child.

22 (c) The effect on a child of frequent, repeated court filings regarding child financial
23 support.

24 III. Determine the best way to educate court staff on the recognition of and appropriate legal
25 response to domestic abuse, including physical abuse and threats of financial withholding.

26 IV. Discuss the trauma suffered by victims who are stalked by their abuser.

27 V. Evaluate the need for children to be permitted to speak for themselves at any age to the
28 judge in chambers or in court.

29 VI. Evaluate guardian ad litem (GAL) training and responsibility, including:

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- 1 (1) How to make sure GALs are not paid by a favored parent;
- 2 (2) How a GAL determines the amount of time a child should spend with each
- 3 parent; and
- 4 (3) The minimum amount of time a GAL should spend with a child before making a
- 5 recommendation.

6 VII. Request information and testimony as needed from any individual or entity the

7 committee deems relevant to its study.

8 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from

9 among the members. The first meeting of the committee shall be called by the first-named house

10 member. The first meeting of the committee shall be held within 45 days of the effective date of this

11 section. Three members of the committee shall constitute a quorum.

12 5 Report. The committee shall file an interim report of its findings and any recommendations

13 for proposed legislation to the speaker of the house of representatives, the president of the senate,

14 the house clerk, the senate clerk, the governor, and the state library on or before June 15, 2025, and

15 a final report on or before June 15, 2026.

16 6 Effective Date. This act shall take effect upon its passage.