

Amendment to HR 14

1 Amend the title of the resolution by replacing it with the following:

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3 A RESOLUTION regarding the evaluation of alleged procedural irregularities in the New  
4 Hampshire judicial branch circuit court, family division and affiliated  
5 agencies.  
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7 Amend the resolution by replacing all after the title with the following:

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9 Whereas, the house children and family law committee has received allegations of irregularities,  
10 including failure to follow or enforce statutes, unwarranted waiver of or failure to follow court rules,  
11 delay in rendering decisions, denial of due process, and other procedural issues, therefore be it

12 Resolved by the House of Representatives:

13 That a select committee appointed by the speaker of the house shall conduct hearings to receive  
14 testimony and evidence from persons knowledgeable about the family division of the circuit court  
15 and affiliated agencies. The committee shall consist of 11 state legislators who shall serve as the  
16 voting members and 5 knowledgeable members of the public, experienced in family law issues who  
17 shall serve as the non-voting members. No officers of the court shall be non-voting members. The  
18 committee's primary focus shall be to schedule hearings to receive testimony from former parties,  
19 litigants, counsel who have participated in proceedings before the family division or affiliated  
20 agencies, or parties with direct knowledge of such proceedings. Focus shall be on the more recent  
21 cases and events. The committee shall also schedule hearings to gather relevant information, as  
22 necessary, from:

23 1. Guardians ad litem who have participated in proceedings before the family division.

24 2. Employees of the division of children, youth and families.

25 3. Employees of the bureau of child support services.

26 4. Members and employees of the New Hampshire judicial branch, except that no testimony  
27 from judges will be requested that would cause a judge to be in violation of the rules of judicial  
28 conduct or otherwise request judges to reveal their analysis of individual case decisions.

29 Additionally, the committee may seek guidance regarding relevant procedures in the family  
30 division from:

31 5. Representatives of The New Hampshire Bar Association.

32 6. Representatives of New Hampshire Legal Assistance.

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1       7. A national organization such as the National Center for State Courts or the National Council  
2 of Juvenile and Family Court Judges to provide information regarding family court process and  
3 procedures in other states.

4       The committee will coordinate with the judicial branch when meeting at a circuit court to  
5 observe public hearings regarding family division cases.

6       The committee may designate individual members to review non-confidential case files and  
7 hearing recordings and report to the committee regarding observations from their review of those  
8 files and recordings.

9       The committee shall hold not less than 3 public hearings to hear testimony from current and  
10 former litigants, counsel or persons directly knowledgeable regarding these issues. The hearings  
11 shall be noticed in at least one state-wide newspaper one week in advance of the hearing. Hearings  
12 may be held in public venues other than the legislative office building around the state to facilitate  
13 public participation.

14       The committee may hold additional public hearings to inquire of jurists, the bureau of child and  
15 family support services, or the division of children, youth, and families employees regarding the  
16 veracity of non-confidential circumstances and facts at issue in cases being reviewed. If necessary,  
17 the committee shall have the power to subpoena and compel attendance of state officers and the  
18 provision of non-confidential documents. This shall be accomplished by an affirmative vote of the  
19 committee which shall then be referred to the speaker of the house by the chair of the committee,  
20 requesting the issuance of a subpoena.

21       The committee shall report its findings by November 1, 2024 to the chair of the house children  
22 and family law committee, the chair of the house judiciary committee, the chair of the senate house  
23 and human services committee, the chair of the senate judiciary committee the speaker of the New  
24 Hampshire house of representatives, the president of the New Hampshire senate, the governor, and  
25 to the administrative judge of the circuit court.