

# Committee Report

# CONSENT CALENDAR

March 11, 2021

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

The Committee on Children and Family Law to which  
was referred HB 577,

AN ACT relative to parenting and divorce cases  
involving allegations of domestic violence. Having  
considered the same, report the same with the following  
resolution: RESOLVED, that it is INEXPEDIENT TO  
LEGISLATE.

Rep. Debra DeSimone

FOR THE COMMITTEE

## COMMITTEE REPORT

Committee:	Children and Family Law
Bill Number:	HB 577
Title:	relative to parenting and divorce cases involving allegations of domestic violence.
Date:	March 11, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

### STATEMENT OF INTENT

The cases that this bill would be referred to the ""Complex Court" which no longer exists. Therefore, this bill was unanimously voted Inexpedient to Legislate.

Vote 15-0.

Rep. Debra DeSimone  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Children and Family Law

**HB 577**, relative to parenting and divorce cases involving allegations of domestic violence.  
**INEXPEDIENT TO LEGISLATE.**

Rep. Debra DeSimone for Children and Family Law. The cases that this bill would be referred to the ""Complex Court" which no longer exists. Therefore, this bill was unanimously voted Inexpedient to Legislate. **Vote 15-0.**

# Voting Sheets



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



1/22/2021 9:54:23 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Children and Family Law

Bill #: 577 Motion: FTL AM #: \_\_\_\_\_ Exec Session Date: 3-11-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Rice, Kimberly A. Chairman	✓		
DeSimone, Debra L. Vice Chairman	✓		
Yokela, Josh S.	✓		
Lewicke, John	✓		
Belanger, Cody M.	✓		
Cross, Kenna E. <i>Rep. Hill</i>	✓		
Litchfield, Melissa A.	✓		
Smith, Denise M. <i>Rep. Johnson</i>	✓		
Long, Patrick T.	✓		
Alicea, Caroletta C. Clerk	✓		
Grossman, Gaby M.	✓		
Levesque, Cassandra N.	✓		
Wazir, Safiya	✓		
Petrigno, Peter	✓		
Altschiller, Debra	✓		
<b>TOTAL VOTE:</b>	<b>15</b>	<b>0</b>	

# Public Hearing



HOUSE COMMITTEE ON CHILDREN AND FAMILY LAW

PUBLIC HEARING ON HB 577

**BILL TITLE:** relative to parenting and divorce cases involving allegations of domestic violence.

**DATE:** March 3, 2021

**LOB ROOM:** hybrid                      **Time Public Hearing Called to Order:** 1:02 p.m.

**Time Adjourned:** 2:03 p.m.

**Committee Members:** Reps. Rice, DeSimone, Alicea, Yokela, Lewicke, Belanger, Cross, Litchfield, D. Smith, Long, Grossman, Levesque, Wazir, Petrigno and Altschiller

**Bill Sponsors:**

Rep. Gay	Rep. Marsh	Rep. Levesque
Rep. Elliott	Rep. DiLorenzo	Rep. Prudhomme-O'Brien
Rep. Vandecasteele	Rep. Pitre	

**TESTIMONY**

\* Use asterisk if written testimony and/or amendments are submitted.

\* Rep. Gay - Assigned to Circuit Court - If you commit a crime on a non-family. The way things are working they should be treated the same way.

Rep. Lewicke - Put people in criminal court? why would it not be criminal get victims of horrendous crimes go the same.

Rep. Belanger - The intent is to take it away from family court.

follow up \_ Have you spoken to C & F services.

Rep. Gay - In our court system that are not involved with DCYF. Have you spoken to them.

No I have not.

Aaronn Justina - Domestic violence advocate. - opposed. These bills do not make things better. HB1626 voted 19-0 to ITL. Making cases criminal if filing of abuse happens it is not necessarily criminal. Abuse can be emotional, financial, not just hitting. Do want the cases turned over to criminal court. Asking committee to ITL

A. Justina - Two parents one is putting the other down. You are fat, don't help etc... not approval behavior. If the person takes that to the police dept the police will not charge the person. its not criminal. There are avenues to address those things.

Rep. Yokela - Can you explain the court.

Superior court is separate from circuit court.

Rep. Grossman - Definition of domestic violence . Do other states have it?

A. Justina - 173.B - get a protection order does not psychological. Psychological abuse maybe?

Rhonda Hodge - There is no data unless you are working for the coalition. Even if there was a restraining order. Tires were slashed. Police said they can not prove it was him. Want the assumption to be they are telling the truth. The abusers usually get off.

Paula Werme - In support of an ammendment, represent herself. Don't feel safe to share where she lives.

Rep. Belanger - Were you aware you can pick your own GAL?

P. Werme - You said judges will allow you to pick.

No I don't have data

Richard Head - Gov. Affairs Co-ordinator. Testifying for information will be replaced with circuit court judges. Have very acknowledgeable judges. This bill would create significant issues and concern to legislative body.

REp. Altschiller - Please clarify if domestic violence was identified. This bill would go to prosecution. Not every domestic violence case goes into the outcomes are family related.

P. Long - In circuit court people are helped out quite a bit more familiar experience when it comes to...

Respectfully submitted,

Rep. Caroletta Alicia, Clerk

# House Remote Testify

## Children and Family Law Committee Testify List for Bill HB577 on 2021-03-03

Support: 11 Oppose: 2 Neutral: 0 Total to Testify: 2

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Jasina, Erin	Portsmouth, NH ejasina@nhla.org	A Lobbyist	NH Legal Assistance	Oppose	Yes (2m)	No	3/1/2021 5:19 PM
Hodge, Rhonda	Salem, NH rhonda@irunbrave.com	A Member of the Public	Myself	Support	Yes (10m)	No	3/2/2021 6:15 PM
Reitter, Eric	Mont Vernon, NH Reitter1@msn.com	A Member of the Public	Myself	Support	No	No	3/2/2021 10:49 PM
Lamy, Lynn	Pembroke, NH Lynnlamy@comcast.net	A Member of the Public	Myself	Support	No	No	3/2/2021 10:28 PM
Ruocco, HOLLY	Chester, NH holly@drholly.net	A Member of the Public	Myself	Support	No	No	3/2/2021 8:09 AM
Frost, Sherry	Dover, NH sherry.frost@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/2/2021 9:23 AM
Heinrich, Katrina	Exeter, NH katmac9517@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 2:45 PM
Heinrich, Haley	Exeter, NH, NH heinrich.hth@gmail.com	A Member of the Public	Myself	Support	No	No	3/2/2021 2:47 PM
Pearson, Mark	Hampstead, NH canonpearson@yahoo.com	An Elected Official	Myself	Support	No	No	2/25/2021 5:21 PM
Lynn, Bob	Windham, NH rjlynn4@gmail.com	An Elected Official	Myself	Oppose	No	No	2/27/2021 4:42 PM
Bruce, Susan	Concord, NH susanb.red@mac.com	A Member of the Public	Myself	Support	No	No	2/28/2021 11:29 AM
ploszaj, tom	center harbor, NH tom.ploszaj@leg.state.nh.us	An Elected Official	Myself	Support	No	No	3/1/2021 10:28 AM
Reitter, Janabeth	Mont Vernon, NH jbreitter@gmail.com	A Member of the Public	Myself	Support	No	No	3/1/2021 10:34 AM

# Testimony

Bill as  
Introduced

HB 577 - AS INTRODUCED

2021 SESSION

21-0730

05/04

HOUSE BILL **577**

AN ACT relative to parenting and divorce cases involving allegations of domestic violence.

SPONSORS: Rep. Gay, Rock. 8; Rep. Marsh, Carr. 8; Rep. Levesque, Straf. 4; Rep. Elliott, Rock. 8; Rep. DiLorenzo, Rock. 17; Rep. Prudhomme-O'Brien, Rock. 6; Rep. Vandecasteele, Rock. 8; Rep. Pitre, Straf. 2

COMMITTEE: Children and Family Law

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ANALYSIS

This bill provides that if domestic violence is alleged in a parenting case, the case shall not be assigned to the complex case docket but shall be heard in district or superior court.

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Explanation: Matter added to current law appears in **bold italics**.  
Matter removed from current law appears [~~in brackets and struck through~~].  
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 One*

AN ACT                   relative to parenting and divorce cases involving allegations of domestic violence.

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

1           1 New Paragraph; Parental Rights and Responsibilities; Procedure. Amend RSA 461-A:3 by  
2 inserting after paragraph III the following new paragraph:

3           IV. If domestic violence is identified as an issue in any proceeding under this chapter, either  
4 between the parties or between one or both parties and a child or children, the case shall not be  
5 assigned to the complex case docket or high conflict docket. The case is criminal and shall be  
6 assigned to the circuit court district division or superior court.

7           2 Effective Date. This act shall take effect 60 days after its passage.