

Important Changes July 1, 2016

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THE DEFENDANT’S CASE

(person being sued)

How do I answer the claim?

2. If you think that the plaintiff owes you money, you may file a “counterclaim” against the plaintiff. If you file a counterclaim, you must pay a filing fee of \$95.00 to the clerk’s office. The filing fee will be added to the amount of your judgment against the plaintiff if you win. Do not add the filing fee to the amount you claim the plaintiff owes you.

Be clear about the amount of money you are asking for and the reasons for your counterclaim. If the amount of the counterclaim is more than the amount that can be sued for in small claims, see **Transfer of Cases to the Regular Docket** on page 12 for more information on moving your case to the regular Superior Court.

(over)

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Fees Payable to the Clerk in Small Claims Cases

<i>Filing (entry) fee</i>	\$95.00*
<i>Filing of a Counterclaim</i>	\$95.00*
<i>Motion to Transfer to the Regular Docket</i>	\$125.00
<i>Application for Execution</i>	\$105.00*
<i>Jury Claim Fee</i>	\$440.00*
<i>Motion to Open Judgment</i>	\$75.00
<i>Photocopies (per page)</i>	\$1.00
<i>Certification of Document</i>	\$2.00

**Fees that changed July 1, 2016*

How Small Claims Court Works



State of Connecticut Judicial Branch
Superior Court

www.jud.ct.gov



DISCLAIMER

(the reasons for this booklet and how it can and cannot help you)

This booklet was written by the Connecticut Judicial Branch and is based on the Connecticut General Statutes and Superior Court rules of practice in effect at the time the booklet was written. This booklet is provided as a public service and does not take the place of getting legal advice from a Connecticut attorney.

People who work for the court will help you with questions you have about how Small Claims Court works. Those people cannot act as your attorney or give you legal advice. You are responsible for any actions you take. The court clerk's office is not responsible for anything that is wrong in this booklet or that is not in this booklet. If you think you need more information or help, you should talk with an attorney or read the sections of the Connecticut General Statutes and the Connecticut Practice Book that talk about Small Claims.

This booklet has information in it that should help people who start a small claims case or who are sued in small claims court. Many questions about this booklet and about the small claims process may be answered by the people who work in the court. You can get forms about the small claims process on-line at www.jud.ct.gov or at any clerk's office or court service center.

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INTRODUCTION

(answers to basic questions)

What is “Small Claims Court”?

The “Small Claims Court” is a part of Connecticut’s court system where a person can sue for up to \$5,000.00 in **money damages only**. This amount is set by state law and may change from time to time. To find out the current amount, you may contact the Centralized Small Claims office at 80 Washington Street, Hartford, CT 06106, telephone: (860) 756-7800 or toll-free in Connecticut 1-866-383-5927. You may also be able to get interest and costs. The only time that a person can sue for more than the \$5,000.00 limit is in a lawsuit to have a landlord return a security deposit in a landlord-tenant matter. In that kind of case **only**, a person can sue for double the amount of the security deposit, plus interest that has been added to the amount, even if the doubled amount brings the claim over the \$5,000.00 limit.

- The Small Claims Court does not hear libel and slander cases.
- Most small claims cases are heard by magistrates or approved small claims commissioners.
- Small claims cases are not recorded; there is no transcript of the proceedings.
- Information about specific small claims cases can be found at: http://www.jud2.ct.gov/Small_Claims/. That information may be searched by party name, docket number, court calendar, attorney case list, attorney calendar, and attorney search.
- If you lose the small claims case and you are ordered to pay money to the other person in the case (plaintiff or defendant), your ability to get credit may change. Small claims judgments (decisions) are public information and could show up on your credit report. The laws that control Consumer Credit Reports are in Section 36a-695 of the Connecticut General Statutes and the sections that follow that section of the statutes. If you need paperwork from the court file to clarify with or to ask the Consumer Credit Reporting Agency for a change to an item on your credit report, you may get copies from the court file

in your case. \$1.00 per page is charged by the court clerk for most copies.

- If you have a complaint about a Consumer Credit Reporting Agency you may complain to the Connecticut Banking Department, Consumer Credit Division, 260 Constitution Plaza, Hartford, CT 06103-1800. Section 36a-695 of the Connecticut General Statutes.
- There is no appeal from small claims judgments.

SPECIAL NOTE: By law, you must start your case within a certain amount of time. If you wait too long to start your case, you may lose your case. Please look at Chapter 926 of the Connecticut General Statutes for information.

How is the Small Claims session different from other court sessions?

The Small Claims session of the Superior Court has simpler rules than the regular civil session of that court. Small Claims forms are designed to be understood without legal training. The rules and forms are designed to allow the person or company suing (the plaintiff) to sue a person or company (the defendant) without the help of an attorney. Those rules and forms do not cover all situations. You may file a small claims lawsuit against a person who lives out of state only if that person owns property in the state of Connecticut. A statement that the out-of-state person owns property must be included in the claim. You may also file a small claims lawsuit against out-of-state businesses, corporations and limited liability companies (LLCs).

Do I need to hire an attorney?

Attorneys may represent you in small claims court, but every part of the Small Claims Court has been set up so a person can handle their own case from the start of the case to the end of the case.

If you are representing yourself in your case, you must show the court all your proof. The court and the clerk's office will help you with the various steps in the case (the court process), but they can only help with the process. They cannot give you legal advice.

THE PLAINTIFF'S CASE

(person who starts the case)

How do I start a small claims case (lawsuit)?

Under the Small Claims Rules of Practice in the *Connecticut Practice Book* (January 1, 2011), the person who files the case (the plaintiff) must serve (deliver) the lawsuit to each person they are suing (defendant) by 1 of the following 4 ways:

- priority mail with delivery confirmation;
- certified mail, return receipt requested;
- a nationally recognized courier service, with delivery confirmation, or;
- service (delivery) by a proper officer (for example, a state marshal).

Service (delivery) by a proper officer is required when the defendant is an out-of-state business (a business organized under the laws of a state other than Connecticut). There are also special service (delivery) requirements when the plaintiff sues an out-of-state insurance company. See the form *How to Serve (Deliver to Defendant) a Small Claims Writ and Notice of Suit* in Section 11 of this booklet. The plaintiff must pay the cost of service but can get the cost back from the defendant if the plaintiff wins the small claims case and is able to collect the money awarded in the judgment from the defendant.

The statute of limitations is a time limit on how long a plaintiff has to start a case. If the claim is a debt or obligation incurred primarily for personal, family or household purposes, the plaintiff will need to give the reasons why the plaintiff believes that the statute of limitations time limit has not run out.

The plaintiff must also show how he or she knows that the address given for each defendant is accurate and how the address was checked within the 6 months before starting the lawsuit. The following documents must be filled out first.

1. Fill-out the “Small Claims Writ and Notice of Suit” (JD-CV-40) form.

The form should be typed or printed neatly so it can be read. Please remember that the form is a legal document. The clerk's office will not accept your case if any copies of the form cannot be read. Do not "white-out" or "cross-out" any information you put on the form. The name of the person or business you are suing (the defendant) must be its exact, correct legal name. If you make a mistake and put the wrong name on the form, you may not get your money. You may not use initials, nicknames, or abbreviations of any person or business you are suing. For example, "Richard Jones" cannot be sued as "R. Jones" or "Dick Jones." If you leave out any part of any name on the form, you may not get your money. **(See the sample Small Claims Writ and Notice of Suit form in Section 11 of this booklet.)**

There are numbered *Instructions to Plaintiff* to help you fill out each part of the form. Forms that are not complete and forms that cannot be read will be returned to you for you to complete or correct and those forms will have to be served (delivered) again by you. You will have to pay the costs to have the form delivered again. If you win the small claims case, a magistrate will decide if you can be awarded the costs for the additional delivery.

If there are more than 2 people who start the case (the plaintiffs) or 2 people who are sued (the defendants) in your case, check the box under Defendants 1 and 2 and list the additional plaintiffs or defendants on the *Continuation of Parties* (JD-CV-67) form.

2. If your claim is against a business, you must find out if that business is a DBA (person "doing business as" a company, also known as "trade names"), a corporation, a limited liability company (LLC) or a partnership. To find out if the business is incorporated and who the legal documents for the case can be delivered to (served on), call the Secretary of the State, Commercial Recording Corporation Information, 30 Trinity Street, Hartford, CT 06106 at (860) 509-6002 or go to the Secretary of State's website at: www.sots.ct.gov (Commercial Recording Division). Information about DBAs can be found at the office of the town clerk where the party is doing business.

If the business is an out-of-state business (a business that is **not** organized under Connecticut laws), the original Small Claims Writ

and Notice of Suit must be served by a proper officer. The information about the business and who is the agent for service will be required by the officer you hire to deliver the Small Claims Writ and Notice of Suit. If the claim is against an in-state business (a business that **is** organized under Connecticut laws), you may serve that business by any of the 4 ways that are allowed for serving the claim (see above).

3. Attach any documents or papers about your case to the Small Claims Writ and Notice of Suit, for example, leases, statements, invoices, bills.

4. You must sign and notarize the *Small Claims Writ and Notice of Suit* before serving it. Your signature **must** be notarized. You must sign the claim in front of the person who is notarizing it. You must also print your name clearly and your title, if you have a title, in the box provided. Your oath must be taken at the time you sign the claim and the person who took your oath (the Clerk, a Notary, or a Commissioner of the Superior Court) must also sign. Attorneys are Commissioners of the Superior Court. **Remember to keep copies of all documents and papers for yourself.**

5. You must serve (deliver to) or have a proper officer serve (deliver to) a **copy** of the completed original Small Claims Writ and Notice of Suit on each defendant along with the *Instructions to Defendant (Notice to Person Being Sued)* form **before** filing it with the court. See *How to Serve a Small Claims Writ and Notice of Suit* for instructions. Samples of all forms are in **Section 11**. A copy of all papers that you are going to file with the court, including all attachments to the original Small Claims Writ and Notice of Suit, must be served (delivered). After service (delivery) is completed, file the **original** papers and a *Statement of Service* for each defendant with the court. **Keep a copy of all papers for your records.**

You must also give the entry fee to the clerk's office. See Section 10 of this booklet for a list of court fees in Small Claims cases. The entry fee will be added to the amount of your judgment against the defendant if you win. **Do not** add the entry fee to the amount you are suing for.

What happens after I file (start) the claim?

After you file your case, the clerk will pick a date the defendant has to

answer your claim by. That date is called the “**answer date.**” The clerk will mail a number assigned to the case called a docket number and the answer date to all the plaintiffs or their representatives. The clerk will send an answer form that includes the docket number of the case and the answer date to each defendant at the address given to the clerk by the plaintiff.

Do not come to court on the answer date.

Where do I file (start) the Small Claims Case?

Small Claims cases may be mailed or hand delivered to the Centralized Small Claims Office at 80 Washington Street, Hartford, CT 06106 or to the proper local court which can be found by looking at Section 7 of this booklet for all cases except landlord-tenant matters. For landlord-tenant matters, look at Section 9 of this booklet.

If the plaintiff is a person and not a business and the case does not involve a landlord-tenant matter, the place where the trial will take place (venue), if a trial is necessary, will be a court in one of the following places: (1) where you live; (2) where the party you are suing (the defendant) lives or does business; or (3) where the thing or injury you are suing about took place. If the claim is a landlord-tenant matter, the trial will be in the court location where the house or apartment (premises) is located.

If the plaintiff is a corporation organized under Connecticut laws, a United States corporation, a foreign corporation (organized under the laws of another state) or a limited liability company, the place where the trial will take place (venue), if a trial is necessary, will be in the court which serves the town in which the defendant lives or is doing business or where the thing or injury the plaintiff is suing about took place.

Reminder: You cannot sue a person in Small Claims Court if that person does not live in Connecticut unless that person owns property in Connecticut. You must say in the Small Claims Writ and Notice of Suit that the person you are suing owns property in Connecticut.

What happens if the defendant files an answer?

1. Each defendant must send a copy of his or her answer to each attorney or other representative of the plaintiff, or if the plaintiff is representing himself or herself, to the plaintiff.

- If a defendant does not agree with (denies) the claim, a trial will be set up and you will be notified by mail of the time and date of the trial.
- If a defendant agrees with (admits) the claim and offers to pay you a certain amount of money for a certain period of time, you may agree to the defendant's offer of payment. The case will be given to a magistrate who will review the case and may enter an agreed on (stipulated) judgment.
- If you do not agree to any part of the defendant's offer of payment, a trial may be scheduled.

2. If the defendant files an answer **and** a counterclaim or setoff (a claim that the defendant makes against you or a claim by the defendant that your claim should be reduced in some way), the clerk's office will send you a form on which you can reply to the counterclaim or setoff. You should send the completed form back to the clerk's office **on or before** the counterclaim/setoff answer date on the form.

Because of the filing of a counterclaim or setoff, you may file a motion to transfer the case to the regular docket of the Superior Court on or before the counterclaim/setoff answer date. (See page 12 for more details on the transfer of cases to the regular docket.)

What happens if the defendant does not file an answer?

If your claim is against a person, you must say, under oath, whether the person is or is not in the military or naval service and how you know that. You will not be able to get a judgment against a defendant who has not answered unless you file an affidavit (a paper signed under oath) with the court that states facts showing that the defendant is not in the military or naval service. You can find out if the person you are suing is in the

military or naval service from the Defense Manpower Data Center (see mailing address on this page) or by using the following website if you have the first and last name of the person and one of the following: the person's date of birth or the person's social security number. The website is: <https://www.dmdc.osd.mil/appj/scra/index.jsp>. This web address must be typed exactly, including the "s" after the http. There is no fee for using this service. The statement provided by the website must be attached to an affidavit stating that the defendant is not in the military or naval service.

If you cannot find out if the person is in the military or naval service, you must tell that to the court. You must also tell the court what you did to find out. You will not be able to get a judgment until you tell the court if the person is or is not in the service or until you post (give) a bond (an amount of money or a legal document promising to pay an amount of money) to protect the legal rights of the person you sued if that person is in the service. The amount of time the bond is kept depends on the kind of judgment that is entered.

If you do not know the date of birth of the person you are suing, and you do not know the social security number of the person you are suing, you will have to find out the military status of that person by asking a person who knows the person you are suing well to fill out an affidavit (written statement under oath), or by giving the place of the defendant's full time employment in an affidavit of your own. For the affidavit, you can use court form JD-FM-178, *Affidavit Concerning Military Service*, which you can get on the Judicial Branch website at: <http://www.jud2.ct.gov/webforms/forms/fm178.pdf>, or at the clerk's office or court service center. You can also get information about whether the person you are suing is in the military or naval service by mail, without charge, from:

Defense Manpower Data Center
1600 Wilson Boulevard
Suite 400
Arlington, VA 22209-2593
Att: Military Verification

You must send the Defense Manpower Data Center the first and last name of the person you are suing and that person's date of birth or social

security number. You must also send the center an envelope with your address and a stamp on it. If you say under oath that you cannot find out if the person is in the military or naval service, you may not be able to get a judgment until you can find out that information.

Based on the kind of case you have, if the defendant does not file an answer the court may enter a judgment against the defendant (called a “default judgment”) for the full amount of your claim plus costs, or the court may schedule the matter for a trial to decide how much is owed to you.

The clerk’s office will let you know if you have to come to court to prove your claim. Whether or not you have to come to court is based on the kind of case and the different papers or documents, if any, your case is based on.

If the party you are suing pays you all the money you claim is owed before the court enters judgment, you should end the case (withdraw the action) by filing a **Withdrawal** (JD-CV-70) form with the clerk. You can get the Withdrawal form from the following website: <http://www.jud2.ct.gov/webforms/forms/cv070.pdf>.

Be sure that you have actually gotten payment (for example, the check has cleared) before you withdraw the case. You can mail the Withdrawal form to the Centralized Small Claims office at 80 Washington Street, Hartford, CT 06106 or you can fax it to that office at: (860) 756-7805. Make sure you include on the Withdrawal form the docket number of your case, the answer date or hearing date and the names of the parties. Fill out the certification at the bottom of the Withdrawal form and send a copy of it to the defendant.

Section 2

THE DEFENDANT’S CASE

(person being sued)

How do I answer the claim?

1. If you want to respond to the claim of the person who is suing you (the plaintiff), you must file an **Answer**. You will get an Answer form from the court shortly after the Small Claims case has been served on (delivered to) you by the plaintiff and the plaintiff has filed the case with the court. You should fill out the Answer form and return it to the court. You must send a copy of the Answer to each attorney or other representative of the plaintiff, or if the plaintiff is representing himself or herself, to the plaintiff and certify on the Answer form that you have done that.

If you do not agree with the plaintiff’s claim, you should explain why you do not owe the money. Your answer does not have to be long because you will have a chance to explain your case at the trial. If you attach any papers as part of your answer, you must send a copy of all of the papers to each plaintiff.

2. If you think that the plaintiff owes you money, you may file a “counterclaim” against the plaintiff by filling out the Counterclaim section on the Answer form.

Be clear about the amount of money you are asking for and the reasons for your counterclaim and label it clearly on your Answer as a **counterclaim**. If the amount of the counterclaim is more than the amount that can be sued for in small claims, see **Transfer of Cases to the Regular Docket** on page 12 for more information on moving your case to the regular Superior Court.

3. The answer **must be in writing** and must be given to the court **on or before the Answer Date**.

4. Even if you think you owe the plaintiff some money, but you disagree with or are unsure about the amount that you owe, you must file an answer. Filing an answer will give you a chance to come to court for a

trial so that a magistrate can decide the amount that you owe the plaintiff.

5. If you are sure that you owe the plaintiff the entire amount claimed but you want time to pay, you should file an answer telling the reasons why you need more time to pay. You may suggest a payment amount and schedule for such payments (a period of time for you to make the payments.) If the plaintiff does not accept your request, you may have to come to court for a trial on your request for additional time to pay.

SPECIAL NOTE: Do not send payments to the court.

Will I have my trial (hearing) on the answer date?

No. Do not come to court for trial on the answer date. You will be told of the date and time of your trial by mail.

What happens if I do not file an answer?

The court may enter a judgment against you (called a “default judgment”) for the full amount of the plaintiff’s claim plus costs, or the court may schedule the matter for a trial to decide how much you owe (a “hearing in damages”).

If you do not file an answer by the answer date, the court will decide that (1) you do not want to argue about the reasons why the plaintiff claims you owe the money and (2) you do not want to argue about the amount of money that the plaintiff claims you owe. The court can then enter a default judgment against you.

Section 3

TRANSFER OF CASES TO THE REGULAR DOCKET

(moving small claims cases from Small Claims Court to the regular Superior Court)

A case filed in Small Claims Court (on a small claims docket) may be moved (transferred) to the regular docket of the Superior Court or to the regular docket of the Housing Court.

One reason a case may be moved is because the defendant, or the plaintiff in a case where the defendant has filed a counterclaim, wants the case transferred. If that is the reason, the person who wants the case moved must file a motion to transfer the case to the regular docket **on or before the answer date** with a certification that the motion was delivered to every other party involved in the action.

Another reason a case may be moved is because a motion to open a judgment claiming lack of actual notice of the case is granted. If that is the reason, the motion to transfer, all documents with it and the proper fees must be filed within 15 days after the notice granting the motion to open was sent.

The motion to transfer must be filed with (1) a counterclaim in an amount that is more than the amount that can be asked for in small claims court; **or** (2) an affidavit (sworn statement) saying that a good defense exists to the claim and giving clearly the type of defense, **or** (3) an affidavit saying that the case has been correctly claimed for trial by jury. If the court finds that one of these conditions applies, the motion to transfer the case to the regular docket will be granted without the need for you to come to court for a hearing.

The party who has filed the motion to transfer the case to the regular docket must pay all required fees at the time the motion to transfer is filed, including any jury fees if a claim for a jury trial is filed. As of the date of the printing of this booklet, the fee for the motion to transfer was \$125.00 and the jury fee was \$425.00. These amounts can change. Contact the Centralized Small Claims office for the amounts or check “Fees” on the Judicial Branch website at www.jud.ct.gov.

Section 4

WHAT TO DO WHILE YOU ARE WAITING FOR A TRIAL (hearing) DATE

Get all of your papers and other records (documentation) ready.

The most important thing to do before the trial date is to collect and organize all papers that have to do with your claim. Those papers include invoices, letters, statements of account, estimates of damage, paid bills, leases, canceled checks, and any other records. Be sure to bring them with you when you come to court. You should bring an extra set of copies to the trial.

Figure out who your witnesses will be and if they will come to court on their own or if they will have to be ordered to come to court.

Sometimes a friend, relative or neighbor saw what happened. You should bring this person to court with you. If the person is not willing to come to court with you, you may ask the clerk of the Small Claims Court for a *Subpoena* (JD-CL-43) form (order to come to court). **(See sample Subpoena form in Section 11.)**

You must fill out the form and give it to the clerk. The clerk will review the Subpoena and, if appropriate, will sign it. It may not be possible for you to make a witness who does not live in Connecticut come to the trial. You must have the Subpoena delivered by a proper officer at least 18 hours before the hearing date. **(There is a charge for this delivery which you will have to pay the proper officer.)** Sworn statements (affidavits) **may not** be filed with the magistrate instead of the testimony of a witness. If you file that kind of affidavit, the magistrate may not be willing to use it to decide your case.

Make an outline of the facts of your case

Write down the facts of your case for your own use. It is important to remember that the magistrate or other person hearing the case (judicial authority) was not there when the thing you sued the defendant for happened. Because of that, the magistrate's view of the matter can only be based on what is said and what is brought to the trial. You should

organize the facts of the case, and you should not give opinions to the magistrate. That will be the best way to prove your case.

What if I need the date of my trial changed to another day (a postponement)?

If it is impossible for you to come to court on the day your case has been scheduled, you should first call the other party or that party's attorney and tell that person why you want the trial on another day. The court calls these postponements "continuances."

1. If the person you called agrees to have the case continued, you must send or fax a written Request for Continuance to the Centralized Small Claims office.
2. If the other party does not agree to a continuance of the case you may still send or fax a written Request for Continuance to the Centralized Small Claims office.
3. The Request for Continuance must include the reason for the continuance, when the notice to the other party was given and whether or not the party agreed to the continuance.
4. You must send copies of the Request for Continuance to all other parties in the case.
5. Oral Requests for Continuance requests that are not put in writing are only permitted in special circumstances.
6. Requests for Continuance made before the trial date will be decided by the clerk. Requests for Continuance made on the day of the trial will be decided by the magistrate. If the request is granted, the clerk will pick a new date for the trial and notify all the parties in the case.

Section 5

THE TRIAL PROCESS

(how the trial works)

What do I do on the day of the trial (hearing)?

1. On the day of the trial (hearing), you should be at the courthouse before the time the trial will start. You should find out what courtroom small claims cases will be heard in, and you should go to that courtroom.
2. When your name is called, tell the court that you are ready.
3. Your case will be given to a magistrate who will swear in all the witnesses (require that they promise to tell the truth). A magistrate is an attorney who hears and decides small claims cases. Also, at some locations, some attorneys have volunteered to act as “Commissioners” (hearing officers) to help the court by hearing and deciding small claims cases. These attorneys (Commissioners) have been approved by the court and, if both parties agree, the case may be decided by these attorneys.
4. The court may ask you to give your documents to the other party and the other party to give you their documents before the court trial. You should bring an extra set of copies to the trial.
5. All parties in the case will be able to tell the court about their case and will be able to ask the other party’s witnesses questions.

How long will I be in court and when will I know the court’s decision?

This is hard to know because there may be many trials or only a few trials that will be heard by the court on the day of your trial.

You should plan to be in court for 1 to 4 hours.

Unless the court tells you the decision at your trial, the decision will be written down and mailed to you.

Can I appeal if I lose the case?

No. The decisions and judgments of the Small Claims Court are final and may not be appealed to a higher court.

See page 12 for more information about transferring a case to the regular docket if you want to keep your right to appeal to a higher court.

What can I do if a default judgment enters against me or if I find new evidence that I did not have for the trial?

If there is a default judgment against you, you may file a Motion to Open judgment. There is a fee for filing this motion. As of the date of the printing of this booklet, the fee to file a Motion to Open was \$75.00. You may contact the Centralized Small Claims office to find out what the fee is or you may check “Fees” on the Judicial Branch website at www.jud.ct.gov. You may get the form for filing a Motion to Open judgment from the clerk’s office, the court service center, or the judicial branch website at www.jud.ct.gov under “Forms.” A Motion to Open the judgment may be filed at any time after the date of judgment if you are claiming you did not get actual notice of the case or within 4 months of the date of the judgment for any other reason. The court may also open any judgment decided after you were defaulted at any time within 4 months after the date that an execution was made (legal order giving a state marshal or other proper officer the right to take defendant’s property). See the next section - **Collecting the Judgment.**

Section 6

COLLECTING THE JUDGMENT

(how do you get the money you are owed if you win the case)

A judgment in small claims is good for 10 years; but you may start a lawsuit based on the judgment within 15 years after the date of the original judgment.

The most important thing to remember is that the court cannot collect the money for you. The court hears the case, makes the decision, and gives you permission to collect the money you are owed.

If a judgment is made against a person, the court may order that person to make periodic (usually weekly) payments to the person who won the case. When this booklet was printed, the minimum weekly order of payments (periodic payment) was \$35.00. This amount can change. The *Notice of Judgment* form will tell you how much is to be paid to you each payment period (usually every week) and when the payments are to start. If you feel that the other party is able to make higher payments and you have evidence of his or her wages, you may ask the court for an increase in the amount of the periodic payments. If you are planning on asking for a wage execution (see page 18), you must first have an order from the court for periodic payments.

If a judgment is made against a business or a landlord, the court will enter judgment for the full amount. No order of periodic payments will be made.

What if the person who lost the case and was ordered to pay money (judgment debtor) cannot pay the periodic payment ordered by the court?

If a party loses a case and is ordered to pay money, they are called a judgment debtor. If the judgment debtor cannot pay the periodic payment ordered by the court, that person may ask the court to reduce the amount. The judgment debtor will be required to prove his or her financial situation to the court before the amount will be reduced.

How do I collect my judgment if payment is not made voluntarily (person who is ordered to pay does not pay)?

If payment is not made as ordered by the court, there are several ways to collect your judgment. One way is to get an **execution** (legal hold so that the owner cannot sell or use property) to attach wages, personal property, or accounts at financial institutions (savings accounts, checking accounts and others). You must have an order for periodic payments on the judgment before you can get a wage execution. If you did not get an order for periodic payments before, you may file a motion for an order for periodic payments. If the judgment debtor does not make the periodic payments that were ordered, you may ask for a wage execution.

No execution will be issued if the judgment debtor is making the periodic payments required by the court.

- 1. A wage execution** can be given to you and used against a person who has a job if that person is not self-employed. **You** must find out if the debtor has a job and, if the debtor has a job, you must find out where he or she works. The court cannot find this out for you.
- 2. A property execution** attaches the personal property, not real property (such as real estate), to pay the judgment. **You** must find out where the property is. The court cannot find this out for you.
- 3. Financial Institution executions** attach certain accounts at financial institutions (for example, banks). **You** must find out where the account is located. The court cannot find this out for you.

You must pay a fee if you want to apply for an execution. See Section 10 of this booklet for a list of fees payable in small claims cases.

How to get an execution (order to hold and turn over property of person who owes judgment):

- (a)** To file an application for an execution, you will need all the information on the **Notice of Judgment** form. And you will need a correct record of payments made (if any) by the debtor to you up until the time you apply for the execution.

(b) You can get applications for executions online at: www.jud2.ct.gov/webforms/ or at clerk's offices and court service centers.

(c) Once an execution is reviewed and signed by the clerk and given back to you, you must hire a state marshal or other proper officer to deliver (serve) the execution on the debtor. **(A list of state marshals is on the Judicial Branch website at: <http://www.jud.ct.gov/faq/marshals.htm>. The list may also be viewed at any clerk's office or court service center.)** You must give the officer the information he or she will need to be able to get the money that you are owed by the debtor. That information should include the debtor's current address, bank, or employer.

Samples of Wage, Financial Institution and Property executions are in Section 11 at the end of this booklet.

Can I collect the costs I spent to get the judgment and can I collect interest on the judgment from the time the judgment was decided?

Yes. Under the Connecticut General Statutes, the judgment creditor (the person who won the case) may collect all costs and statutory fees paid in getting the judgment. If the court orders it, interest on the judgment from the time the judgment was decided (postjudgment interest) may also be collected at a rate of interest also decided by the court.

If postjudgment interest is ordered by the court, it continues to add up and increase the amount owed until the debt is paid in full.

If an execution is issued and delivered, and if the court ordered it, the amount of postjudgment interest that can be collected will be figured out by the officer who delivered the execution.

Satisfaction of the Judgment (payment of the full amount)

If the full amount of the judgment is paid to the judgment creditor, he or she must file a written Notice of Satisfaction (payment in full) with the clerk of the court within 90 days. The magistrate may, if a motion is filed, decide that the judgment has been satisfied (paid).

Examination (Asking questions) of Judgment Debtor

If an execution has been given back to the court and has not been paid in full or if post-judgment interrogatories (questions asked of the judgment debtor after judgment) are not answered within 30 days, you may ask the court to issue a *Petition for Examination of Judgment Debtor* and a subpoena, requiring the judgment debtor to come to court. This will give you a chance to ask the judgment debtor questions under oath about the judgment debtor's property, assets or financial institution accounts. If you do not know what to ask the judgment debtor, you may want to look at the list of questions in the *Postjudgment Remedies Interrogatories* in **Section 11** of this booklet for help. You may get the Petition for Examination of Judgment Debtor at the clerk's office, at a court service center, or on the Judicial Branch website at <http://www.jud2.ct.gov/webforms/>. (See sample at the end of this booklet in **Section 11**.)

REMINDER

You do not need an attorney in the Small Claims session but you have to follow the proper procedures.

If you are the plaintiff (person who started the case):

Make sure that you fill out your claim form completely and accurately and that you are suing the right defendant. You must serve (deliver) the claim on each defendant before filing the claim with the court.

If you are the defendant (person who is being sued):

1. You may lose your case if you do not file an answer.
2. Your answer must be in writing and must be received by the small claims clerk's office on or before the answer date. You must send a copy of your Answer to each plaintiff.

Section 7

Small Claims Area Facility Locations by Town

Centralized Small Claims, 80 Washington Street, Hartford, CT 06106

The Centralized Small Claims office accepts new small claims filings and processes all small claims matters. New small claims writs may be filed directly at the central office or at the locations listed below.

Town	Facility	Town	Facility
Andover	410 Center Street Manchester 06040	Bristol	20 Franklin Square New Britain 06051
Ansonia	106 Elizabeth Street Derby 06418	Brookfield	146 White Street Danbury 06810
Ashford	120 School Street Danielson 06239	Brooklyn	120 School Street Danielson 06239
Avon	410 Center Street Manchester 06040	Burlington	20 Franklin Square New Britain 06051
Bantam	80 Doyle Road Bantam 06750	Canaan	80 Doyle Road Bantam 06750
Barkhamsted	80 Doyle Road Bantam 06750	Canterbury	120 School Street Danielson 06239
Beacon Falls	106 Elizabeth Street Derby 06418	Canton	410 Center Street Manchester 06040
Berlin	20 Franklin Square New Britain 06051	Chaplin	120 School Street Danielson 06239
Bethany	235 Church Street New Haven 06510	Cheshire	54 West Main Street Meriden 06451
Bethel	146 White Street Danbury 06810	Chester	1 Court Street Middletown 06457- 3374
Bethlehem	80 Doyle Road Bantam 06750	Clinton	1 Court Street Middletown 06457-3374
Bloomfield	410 Center Street Manchester 06040	Colchester	112 Broad Street New London 06320
Bolton	410 Center Street Manchester 06040	Colebrook	80 Doyle Road Bantam 06750
Bozrah	112 Broad Street New London 06320	Columbia	410 Center Street Manchester 06040
Branford	235 Church Street New Haven 06510	Cornwall	80 Doyle Road Bantam 06750
Bridgeport	172 Golden Hill St. Bridgeport 06604	Coventry	410 Center Street Manchester 06040
Bridgewater	80 Doyle Road Bantam 06750		

Section 7 – Small Claims Area Facility Locations by Town

Town	Facility	Town	Facility
Cromwell	1 Court Street Middletown 06457-3374	Enfield	410 Center Street Manchester 06040
Danbury	146 White Street Danbury 06810	Essex	1 Court Street Middletown 06457-3374
Danielson	120 School Street Danielson 06239	Fairfield	172 Golden Hill St. Bridgeport 06604
Darien	123 Hoyt Street Stamford 06905	Farmington	410 Center Street Manchester 06040
Deep River	1 Court Street Middletown 06457-3374	Franklin	112 Broad Street New London 06320
Derby	106 Elizabeth Street Derby 06418	Glastonbury	410 Center Street Manchester 06040
Durham	1 Court Street Middletown 06457-3374	Goshen	80 Doyle Road Bantam 06750
Eastford	120 School Street Danielson 06239	Granby	410 Center Street Manchester 06040
East Granby	410 Center Street Manchester 06040	Greenwich	123 Hoyt Street Stamford 06905
East Haddam	1 Court Street Middletown 06457-3374	Griswold	112 Broad Street New London 06320
East Hampton	1 Court Street Middletown 06457-3374	Groton	112 Broad Street New London 06320
East Hartford	410 Center Street Manchester 06040	Guilford	235 Church Street New Haven 06510
East Haven	235 Church Street New Haven 06510	Haddam	1 Court Street Middletown 06457-3374
East Lyme	112 Broad Street New London 06320	Hamden	54 West Main Street Meriden 06451
Easton	172 Golden Hill St. Bridgeport 06604	Hampton	120 School Street Danielson 06239
East Windsor	410 Center Street Manchester 06040	Hartford	410 Center Street Manchester 06040
Ellington	410 Center Street Manchester 06040	Hartland	80 Doyle Road Bantam 06750
		Harwinton	80 Doyle Road Bantam 06750

Section 7 – Small Claims Area Facility Locations by Town

Town	Facility	Town	Facility
Hebron	410 Center Street Manchester 06040	Monroe	172 Golden Hill St. Bridgeport 06604
Kent	80 Doyle Road Bantam 06750	Montville	112 Broad Street New London 06320
Killingly	120 School Street Danielson 06239	Morris	80 Doyle Road Bantam 06750
Killingworth	1 Court Street Middletown 06457-3374	Naugatuck	300 Grand Street Waterbury 06702
Lebanon	112 Broad Street New London 06320	New Britain	20 Franklin Square New Britain 06051
Ledyard	112 Broad Street New London 06320	New Canaan	17 Belden Avenue Norwalk 06850
Lisbon	112 Broad Street New London 06320	New Fairfield	146 White Street Danbury 06810
Litchfield	80 Doyle Road Bantam 06750	New Hartford	80 Doyle Road Bantam 06750
Lyme	112 Broad Street New London 06320	New Haven	235 Church Street New Haven 06510
Madison	235 Church Street New Haven 06510	Newington	20 Franklin Square New Britain 06051
Manchester	410 Center Street Manchester 06040	New London	112 Broad Street New London 06320
Mansfield	410 Center Street Manchester 06040	New Milford	80 Doyle Road Bantam 06750
Marlborough	410 Center Street Manchester 06040	Newtown	146 White Street Danbury 06810
Meriden	54 West Main Street Meriden 06451	Norfolk	80 Doyle Road Bantam 06750
Middlebury	300 Grand Street Waterbury 06702	North Branford	235 Church Street New Haven 06510
Middlefield	1 Court Street Middletown 06457-3374	North Canaan	80 Doyle Road Bantam 06750
Middletown	1 Court Street Middletown 06457-3374	Northford	235 Church Street New Haven 06510
Milford	14 West River St. Milford 06460	North Haven	54 West Main Street Meriden 06451

Section 7 – Small Claims Area Facility Locations by Town

Town	Facility	Town	Facility
North Stonington	112 Broad Street New London 06320	Rocky Hill	20 Franklin Square New Britain 06051
Norwalk	17 Belden Avenue Norwalk 06850	Roxbury	80 Doyle Road Bantam 06750
Norwich	112 Broad Street New London 06320	Salem	112 Broad Street New London 06320
Old Lyme	112 Broad Street New London 06320	Salisbury	80 Doyle Road Bantam 06750
Old Saybrook	1 Court Street Middletown 06457-3374	Scotland	120 School Street Danielson 06239
Orange	106 Elizabeth Street Derby 06418	Seymour	106 Elizabeth Street Derby 06418
Oxford	106 Elizabeth Street Derby 06418	Sharon	80 Doyle Road Bantam 06750
Plainfield	120 School Street Danielson 06239	Shelton	106 Elizabeth Street Derby 06418
Plainville	20 Franklin Square New Britain 06051	Sherman	146 White Street Danbury 06810
Plymouth	20 Franklin Square New Britain 06051	Simsbury	410 Center Street Manchester 06040
Pomfret	120 School Street Danielson 06239	Somers	410 Center Street Manchester 06040
Portland	1 Court Street Middletown 06457-3374	Southbury	300 Grand Street Waterbury 06702
Preston	112 Broad Street New London 06320	Southington	20 Franklin Square New Britain 06051
Prospect	300 Grand Street Waterbury 06702	South Windsor	410 Center Street Manchester 06040
Putnam	120 School Street Danielson 06239	Sprague	112 Broad Street New London 06320
Redding	146 White Street Danbury 06810	Stafford	410 Center Street Manchester 06040
Ridgefield	146 White Street Danbury 06810	Stamford	123 Hoyt Street Stamford 06905
Rockville	410 Center Street Manchester 06040	Sterling	120 School Street Danielson 06239
		Stonington	112 Broad Street New London 06320

Section 7 – Small Claims Area Facility Locations by Town

Town	Facility	Town	Facility
Stratford	172 Golden Hill St. Bridgeport 06604	West Haven	14 West River Street Milford 06460
Suffield	410 Center Street Manchester 06040	Weston	17 Belden Avenue Norwalk 06850
Thomaston	80 Doyle Road Bantam 06750	Westport	17 Belden Avenue Norwalk 06850
Thompson	120 School Street Danielson 06239	Wethersfield	20 Franklin Square New Britain 06051
Tolland	410 Center Street Manchester 06040	Willimantic	120 School Street Danielson 06239
Torrington	80 Doyle Road Bantam 06750	Willington	410 Center Street Manchester 06040
Trumbull	172 Golden Hill St. Bridgeport 06604	Wilton	17 Belden Avenue Norwalk 06850
Union	410 Center Street Manchester 06040	Winchester	80 Doyle Road Bantam 06750
Vernon	410 Center Street Manchester 06040	Windham	120 School Street Danielson 06239
Voluntown	112 Broad Street New London 06320	Windsor410	Center Street Manchester 06040
Wallingford	54 West Main Street Meriden 06451	Windsor Locks	410 Center Street Manchester 06040
Warren	80 Doyle Road Bantam 06750	Winsted	80 Doyle Road Bantam 06750
Washington	80 Doyle Road Bantam 06750	Wolcott	300 Grand Street Waterbury 06702
Waterbury	300 Grand Street Waterbury 06702	Woodbridge	235 Church Street New Haven 06510
Waterford	112 Broad Street New London 06320	Woodbury	300 Grand Street Waterbury 06702
Watertown	300 Grand Street Waterbury 06702	Woodstock	120 School Street Danielson 06239
Westbrook	1 Court Street Middletown 06457-3374		
West Hartford	410 Center Street Manchester 06040		

Section 8

Small Claims Area Locations and Telephone Numbers

Centralized Small Claims

80 Washington Street, Hartford, CT 06106

860-756-7800 in Hartford area or 1-866-383-5927 toll free

Clerk, Geographical Area 22
Small Claims Area at Milford
14 West River Street
Milford, CT 06460
203-874-1116

Chief Clerk, Middlesex JD
Small Claims Area at Middletown
1 Court Street – 2nd floor
Middletown, CT 06457-337
860-343-6477

Clerk, Geographical Area 3
Small Claims Area at Danbury
146 White Street
Danbury, CT 06810
203-207-8600

Chief Clerk, New Britain JD
Small Claims Area at New Britain
20 Franklin Square – 2nd floor
New Britain, CT 06051
860-515-5210

Clerk, Geographical Area 2
Small Claims Area at Bridgeport
172 Golden Hill Street
Bridgeport, CT 06604
203-579-6562

Chief Clerk, New Haven JD
Small Claims Area at New Haven
235 Church Street
New Haven, CT 06510
203-503-6800

Clerk, Geographical Area 5
Small Claims Area at Derby
106 Elizabeth Street
Derby, CT 06418
203-735-9654

Clerk, Geographical Area 7
Small Claims Area at Meriden
54 West Main Street
Meriden, CT 06451
203-238-6130

Clerk, Geographical Area 18
Small Claims Area at Bantam
80 Doyle Road
Bantam, CT 06750
860-567-3942

Clerk, Geographical Area 10
Small Claims Area at New London
112 Broad Street
New London, CT 06320
860-443-8346

Section 8 – Small Claims Area Locations and Telephone Numbers

Clerk, Geographical Area 12
Small Claims Area at Manchester
410 Center Street
Manchester, CT 06040
860-647-1091

Clerk, Geographical Area 11
Small Claims Area at Danielson
120 School Street
Danielson, CT 06239
860-779-8484

Clerk, Geographical Area 1
Small Claims Area at Stamford
123 Hoyt Street
Stamford, CT 06905
203-965-5308

Chief Clerk, Waterbury JD
Small Claims Area at
Waterbury
300 Grand Street
Waterbury, CT 06702
203-591-3320

Clerk, Geographical Area 20
Small Claims Area at Norwalk
17 Belden Avenue
Norwalk, CT 06850
203-846-4206

Section 9

Superior Court Housing Sessions by District

Fairfield Judicial District

Bridgeport Housing Session

(Serving the towns of Bridgeport, Easton, Fairfield, Monroe, Stratford and Trumbull.)

Superior Court-Housing Session (203) 579-6936
1061 Main Street
Bridgeport, CT 06604

Hartford Judicial District

Hartford Housing Session

(Serving the towns of Avon, Bloomfield, Canton, East Granby, East Hartford, East Windsor, Enfield, Farmington, Glastonbury, Granby, Hartford, Manchester, Marlborough, Newington, Rocky Hill, Simsbury, South Windsor, Suffield, West Hartford, Wethersfield, Windsor and Windsor Locks.)

Superior Court-Housing Session (860) 756-7920
80 Washington Street
Hartford, CT 06106

New Britain Judicial District

New Britain Housing Session

(Serving the towns of Avon, Berlin, Bristol, Burlington, Canton, Farmington, New Britain, Newington, Plainville, Plymouth, Rocky Hill, Simsbury, Southington and Wethersfield.)

Superior Court-Housing Session (860) 515-5130
20 Franklin Square
New Britain, CT 06051

New Haven/Meriden Judicial District

New Haven Housing Session

(Serving the towns of Bethany, Branford, Cheshire, East Haven, Guilford, Hamden, Madison, Meriden, Milford, New Haven, North Branford, North Haven, Orange, Wallingford, West Haven and Woodbridge.)

Superior Court-Housing Session (203) 789-7937
121 Elm Street
New Haven, CT 06510

Superior Court-Housing Session (203) 238-6667
54 West Main Street
Meriden, CT 06451

Stamford/Norwalk Judicial District

Norwalk Housing Session

(Serving the towns of Darien, Greenwich, New Canaan, Norwalk, Stamford, Weston, Westport and Wilton.)

Superior Court-Housing Session (203) 846-4332
17 Belden Avenue
Norwalk, CT 06850

Waterbury Judicial District

Waterbury Housing Session

(Serving the towns of Middlebury, Naugatuck, Plymouth, Prospect, Southbury, Waterbury, Watertown, Wolcott and Woodbury.)

Superior Court-Housing Session (203) 591-3310
300 Grand Street
Waterbury, CT 06702

Section 10

Fees Payable to the Clerk in Small Claims Cases

These fees were correct on the date this booklet was printed but may change. Please contact your local Small Claims clerk's office for the correct fees.

Filing (entry) fee	\$75.00
Motion to Transfer to the Regular Docket	\$125.00
Application for Execution.	\$75.00
Jury Claim Fee	\$425.00
Motion to Open Judgment	\$75.00
Photocopies (per page)	\$1.00
Certification of Document.	\$2.00

Personal Checks are acceptable with the following restrictions:

1. Check must be made payable to the "Clerk of the Superior Court;" third party checks are not acceptable;
2. Check must be preprinted with the current name of payer;
3. Check amount is not to exceed \$5,000.00 per check.
4. Photo ID or photo driver's license is required as proof of identity;
5. A check drawn on a bank of a foreign country other than Canada shall not be accepted. Funds must be made payable in U.S. funds; and,
6. No checks are to be cashed.

Section 11

Forms

JD-CV-40: Small Claims Writ and Notice of Suit

*JD-CV-122: How to Serve (Deliver to Defendant)
a Small Claims Writ and Notice of Suit*

JD-CV-123: Statement of Service - (Delivery) Small Claims

JD-CV-121: Instructions to Defendant - (Notice to Person Being Sued)

*JD-CV-70: Withdrawal – Small Claims and Housing Matters
Motion to Transfer to the Regular Docket
Affidavit in Support of Motion*

JD-CL-43: Subpoena/Civil

JD-CV-51: Motion to Open Judgment

JD-CV-23: Post Judgment Remedies Interrogatories

JD-CV-23a: Interrogatories

JD-CV-3: Wage Execution Proceedings - Application, Order, Execution

JD-CV-3a: Exemption and Modification Claim Form, Wage Execution

*JD-CV-5: Property Execution Proceedings -
Application, Order, Execution*

JD-CV-5b: Exemption Claim Form, Property Execution

*JD-CV-24: Financial Institution Execution Proceedings –
Judgment Debtor Who is a Natural Person, Application and Execution*

JD-CV-24A: Exemption Claim Form, Financial Institution Execution

*JD-CV-24N: Financial Institution Execution Proceedings – Judgment
Debtor Who is NOT a Natural Person, Application and Execution*

*JD-CV-54: Petition for Examination of
Judgment Debtor and Notice of Hearing*

**SMALL CLAIMS WRIT
AND NOTICE OF SUIT**
JD-CV-40 Rev. 1-11
C.G.S. §§ 51-15, 51-345(g)

**CONNECTICUT SUPERIOR COURT
SMALL CLAIMS SESSION**

*For Court Use Only
Do Not Write In This Space
Barcode Label Only*

Type or print legibly. This Writ and Notice of Suit must be served on (delivered to) the defendant(s) before filing it with the court. See Instructions to Plaintiff on reverse.

1.) Information that will determine where the trial will be _____

2.) Is this a claim between a landlord and a renter? ("X" one) Yes No

3.) If you answered "yes" to question #2 above, state the town where the rental premises is located: _____

P L T F	4.) Name, address and zip code of Plaintiff #1 _____ _____	P L T F	Name, address and zip code of Plaintiff #2 _____ _____
	# 1 Telephone number (w/area code) ("X" One) <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation		# 2 Telephone number (w/area code) ("X" One) <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation

5.) Name, address and zip code of Attorney for Plaintiff(s) _____

Attorney's Juris number _____ Telephone number (w/area code) _____

D E F	6.) Name, address and zip code of Defendant #1 _____ _____	D E F	Name, address and zip code of Defendant #2 _____ _____
	# 1 Telephone number (w/area code) ("X" One) <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation		# 2 Telephone number (w/area code) ("X" One) <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation

For more than 2 defendants, attach *Continuation of Parties*, Form JD-CV-67, and "X" box.

7.) If this claim is a consumer debt (a debt or obligation made primarily for personal, family or household reasons), give the reasons why you believe that the statute of limitations has not expired. _____

8.) How did you check in the last 6 months that the address given for defendant(s) is accurate? "X" all boxes that apply and provide the dates that the address was checked.

1) I checked town or city records (for example, checking a street list or tax records); _____ (date checked)

2) I checked with the Department of Motor Vehicles; _____ (date checked)

3) I received correspondence (letters or other mail) from the defendant with that return address; _____ (date checked)

4) I received other proof from the defendant that the address is current; _____ (description of proof and date checked)

5) I mailed by first class mail, at least 4 weeks before this small claims action was filed, a letter to the defendant at the address used and the letter has not been returned to me by the United States Postal Service. _____ (date checked)

9.) Amount claimed

Plus costs

10.) You are being sued. The Plaintiff(s) claims you owe the above amount for the following reasons:

The person signing below, being duly sworn, states that he or she has read the claim above and the information contained in this form and, to the best of his or her knowledge, information and belief, there is good ground to support the claim and the information is true.

11.) Signed _____	Type in name of person signing at left and title, if applicable _____	For Court Use Only (Date/Stamp)
Subscribed and sworn to before me on (Date) _____	Signed (Clerk, Notary, Commissioner of Superior Court) _____	

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA/.

Distribution: Original - Court Copy 1 - Defendant Copy 2 - Defendant Copy 3 - Plaintiff

Instructions to Plaintiff

The "Small Claims Court" is a part of Connecticut's court system where a person can sue for **money damages only** up to \$5,000.00. That amount is set by state law and may change from time to time. You may also be able to get interest and costs. The only time that a person can sue for more than the \$5,000.00 limit is in a lawsuit to have a landlord return a security deposit in a landlord-tenant matter. In that kind of case **only**, a person can sue for double the amount of the security deposit, plus interest that has been added to the amount, even if the doubled amount brings the claim over the \$5,000.00 limit. The small claims court does not hear libel and slander cases.

The instructions below are numbered. The numbers are the same as the numbered sections of the SMALL CLAIMS WRIT AND NOTICE OF SUIT (form JD-CV-40). These instructions are to help you correctly fill out each section of the Small Claims Writ and Notice of Suit. For more information, get a copy of HOW SMALL CLAIMS COURT WORKS (form JDP-CV-45) from the Clerk's Office or from our website at www.jud.ct.gov/faq/smallclaims.html.

Note: Unless you are hiring a state marshal to deliver (serve) the Small Claims Writ and Notice of Suit for you, you must deliver a copy of the completed original Small Claims Writ and Notice of Suit to each defendant with the "Instructions to Defendant" form JD-CV-121, **before** filing those documents with the court. See "How to Serve (Deliver to Defendant) a Small Claim Writ and Notice of Suit" form for instructions. You must deliver a copy of all the documents you want to file with the court, for example, all attachments to the original writ must be delivered. After all of those documents have been delivered, file the **original** documents with the court, with the appropriate entry fee and "Statement of Service", form JD-CV-123, for each defendant. **Keep a copy** for your records.

1. Information That Will Determine Where The Trial Will Be

The information you give will determine where the trial will be if the information complies with the statutes. If this portion of the form is not filled out, the location of the trial will be determined as described below.

If you are an Individual Plaintiff, choose one of the following and enter the town where (a) the plaintiff lives, (b) the defendant lives or the defendant's business is located or (c) the transaction or injury occurred. **If you do not give any information, the town where you live will determine the place of the trial.**

If you are a Business Entity, including a domestic corporation, United States corporation or a limited liability company; choose one of the following and enter the town where (a) the defendant lives, (b) the defendant is doing business or (c) the transaction or injury occurred. **If you do not give any information, the town where the defendant lives will determine the place of the trial.**

An out-of-state individual defendant must own real or personal property in Connecticut to be sued in small claims court. That must be stated in the writ.

In matters involving a landlord and a renter (tenant), enter the town in which the rental property are located. The location of the rental property will determine where the trial will be held. (Note: If, however, the defendant now resides out-of-state, the small claims rules may not apply.)

For more information, see the Connecticut General Statutes or the Connecticut Practice Book.

2. Claim Between Landlord And Renter (Tenant)

If the claim is between a landlord and a renter (tenant), "X" the box for yes. If not, "X" the box for no.

3. Rental Property Location

Write the name of the town where the rental property is located.

4. Plaintiff(s)

The plaintiff is the person filing the claim (suing the other party). If there is more than 1 person, use 1 box for each plaintiff. For more than 2 plaintiffs, use the *Continuation of Parties* form, JD-CV-67. Enter the complete and correct legal name, address, and telephone number of each plaintiff. For each plaintiff, "X" the box for the type of plaintiff filing.

5. Attorney Information

To be filled out by attorney only if representing the plaintiff.

6. Defendant(s)

The defendant is the person you are suing. If you are suing more than 1 person, use 1 box for each defendant. For more than 2 defendants, use the *Continuation of Parties* form, JD-CV-67. Enter the complete and correct legal name, address, and telephone number of each defendant. For each defendant, "X" the box for the type of defendant being sued. **Special Note:** The name of the person or business you are suing must be exact. If you make a mistake and list the wrong name, or leave out any part of any name, you may not get your money.

7. Statute Of Limitations

A statute of limitations is a time limit on how long you have to start a case. This time limit is different for each type of case. Most statutes of limitations can be found in [Chapter 926 of the Connecticut General Statutes](#). You must give the reasons why you believe that the statute of limitations time period has not run out if the claim is a consumer debt which is a debt or obligation made primarily for personal, family or household reasons. See Section 52-350a(2) of the Connecticut General Statutes.

8. Address Verification

Check all boxes that apply showing how you know the address you give for each the defendant is accurate and provide the date you checked the addresses.

9. Amount Claimed

Enter the amount of money you are claiming. The amount may not be more than the statutory limit for small claims matters, unless the amount over the limit is for interest or costs, or is for the doubling of a security deposit in a landlord-tenant matter. Do not include the filing fee.

10. Reason For Claim

Give a clear, brief description of the nature of the case. You may attach pages if you need to. The claim must be for money damages only. Interest charges and costs that bring the amount over the limit should be listed separately here.

11. Signature And Oath

Your signature **must** be notarized. You must sign the claim in front of the person who is notarizing it. You must also print your name clearly and your title, if you have a title, in the box provided. Your oath must be taken at the time you sign the claim and the person who took your oath (the Clerk, a Notary, or a Commissioner of the Superior Court) must also sign. Attorneys are Commissioners of the Superior Court.

12. Keep A Copy Of All Documents For Your Records.

HOW TO SERVE (DELIVER TO DEFENDANT) A SMALL CLAIMS WRIT AND NOTICE OF SUIT

JD-CV-122 New 1-11

The person or business filing a lawsuit is the plaintiff. The plaintiff, or his or her representative, must serve (deliver) the Small Claims Writ and Notice of Suit separately on each defendant using 1 of the 4 methods listed below, except that for each defendant who is an out-of-state business (a business organized under the laws of a state other than Connecticut), the plaintiff must pay a proper officer to serve the defendant as described in number 4. There are special requirements for service on (delivery to) out-of-state insurance companies. The requirements are in Chapter 697, Title 38a of the Connecticut General Statutes and you may find information on the Connecticut Insurance Department website at: www.ct.gov/cid.

- 1. By priority mail with delivery confirmation:** fill out a Small Claims Writ and Notice of Suit, JD-CV-40, and attach any related documents you wish to file with the Writ; keep the original Writ and documents and mail a copy of the Writ and documents, and the Instructions to Defendant, form JD-CV-121, to each defendant. When you have the delivery confirmation(s), file the original Writ and documents, a Statement of Service, JD-CV-123, for each defendant, and the delivery confirmation(s) with the court.
- 2. By certified mail, return receipt requested:** fill out a Small Claims Writ and Notice of Suit, JD-CV-40, and attach any related documents you wish to file with the Writ; keep the original Writ and documents and mail a copy of the Writ and documents, and the Instructions to Defendant, form JD-CV-121, to each defendant. When you receive the signed return receipt(s), file the original Writ and documents, a Statement of Service, JD-CV-123, for each defendant, and the signed return receipt(s) with the court.
- 3. By a nationally recognized courier service providing delivery confirmation:** fill out a Small Claims Writ and Notice of Suit, JD-CV-40, and attach any related documents you wish to file with the Writ; keep the original Writ and documents and have a copy of the Writ and documents, and the Instructions to Defendant, form JD-CV-121, delivered to each defendant. When you receive the tracking information showing delivery, file the original Writ and documents, a Statement of Service, JD-CV-123, for each defendant, and the delivery confirmation(s) with the court.
- 4. By a proper officer, for example, a marshal:** fill out a Small Claims Writ and Notice of Suit, JD-CV-40, and attach any related documents you wish to file with the Writ; keep a copy of the Writ and documents; give the original Writ and documents, and the Instructions to Defendant, form JD-CV-121, to the officer to serve (deliver); after the officer serves (delivers) the Small Claims Writ and Notice of Suit, he or she will file the original Writ and documents with the court along with his or her return of service (a written statement describing how the writ was served).

The Small Claims Writ and Notice of Suit must be returned to the court not later than 1 month after the date of service.

When the clerk receives the Small Claims Writ and Notice of Suit, the clerk will set an answer date and will send a notice to all plaintiffs or their representatives of the docket number and answer date. The clerk will also send an answer form that includes the docket number and answer date to each defendant at the addresses provided by the plaintiff.

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA/.

**STATEMENT OF SERVICE — (DELIVERY)
SMALL CLAIMS**

JD-CV-123 New 1-11

Instructions

Fill out 1 form for each defendant. Attach all documents that show how the Small Claims Writ and Notice of Suit and related documents were served on (delivered to) the defendant, and check the box below that applies. Keep all receipts that show how much you paid to have the Small Claims Writ and Notice of Suit and related documents served on (delivered to) the defendant.

For service on (delivery to) the Defendant:

(Write name of Defendant)

The attached Small Claims Writ and Notice of Suit with related documents, if any, were served on (delivered to) the defendant named above by:

(Check the box that applies)

- 1.) priority mail with delivery confirmation; delivery confirmation is attached. I paid \$ _____ for this, or
- 2.) certified mail, return receipt requested; signed return receipt is attached. I paid \$ _____ for this, or
- 3.) a nationally recognized courier service providing delivery confirmation; tracking information showing delivery is attached. I paid \$ _____ for this, or
- 4.) a proper officer in the manner in which a writ of summons is served in a civil action; officer's return of service filed with the court.

Signature of Plaintiff or Plaintiff's Representative

(Check one)

Plaintiff Plaintiff's representative

Type or print name of signer	Date
------------------------------	------

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA/.

**INSTRUCTIONS TO DEFENDANT
(NOTICE TO PERSON BEING SUED)**

JD-CV-121 New 1-11

Please read the instructions carefully.

For more information, get a copy of *HOW SMALL CLAIMS COURT WORKS* (form JDP-CV-45) from the Clerk's Office or from our website at www.jud.ct.gov/faq/smallclaims.html.

What Do I Have To Do To Defend This Case?

The person suing you (the Plaintiff) delivered to you (served you with) a copy of the Small Claims Writ and Notice of Suit and related documents, if any. After serving you, the plaintiff will file the Small Claims Writ and Notice of Suit and related documents with the court. The court will send an Answer form to you with the number the court assigns to the case, called the "docket number" of the case, and the date you must file your Answer by. This should happen soon but could be up to 6 weeks depending on when the plaintiff files the case with the court.

The Answer is your response or reply to the claim by the plaintiff. Your Answer should be brief but specific. Fill out the entire Answer form and sign it. Keep a copy for yourself and send a copy to each attorney or other representative of the plaintiff, or if the plaintiff is representing himself or herself, to the plaintiff. Send the original Answer form to the court by mail, fax or hand delivery at the address or fax number shown below on or before the answer date. Please be sure to give us any change of your address.

Do not answer until you get the Answer form from the court but if you do not get an Answer form within 6 weeks of being served, contact the court to ask why. If you do not file an Answer in writing with the court, a money judgment could enter against you. This is called a default judgment.

You may make an agreement with the plaintiff before the plaintiff files the lawsuit in court or at any time before the court enters a judgment. You may hire a lawyer to represent you if you want to.

You can find helpful information on our website at: <http://www.jud.ct.gov/faq/smallclaims.html> and you may check the status of your case after it has been given a docket number at: http://www.jud2.ct.gov/Small_Claims/.

If you have any questions, you can visit or call the Centralized Small Claims Office at 80 Washington Street, Hartford, CT 06106. The telephone number in the Hartford area is 860-756-7800. The toll free telephone number in Connecticut is 866-383-5927. The fax number is (860) 756-7805.

You do not need an attorney even if the plaintiff has one. However, you can have an attorney if you want to hire one.

If you want to use the regular rules of court in this case or if you want the right to appeal this case, you must file a motion to transfer the case to the regular civil or housing docket of the superior court. You may need an attorney to help you in filing that motion and you will have to pay fees to file it. The motion to transfer **must** be filed, in writing, with an affidavit and with the correct fees, **on or before the answer date**.

What Happens If I Do Not File An Answer?

If you do not file an Answer, the file will be reviewed by a magistrate who will decide whether a judgment can enter without a hearing for the full amount of the claim plus court costs, or whether the case needs to be set down for a trial.

What Happens If I File An Answer?

Do not go to court on the answer date. After the court receives your Answer, a trial will be scheduled if one is required. Cases are scheduled for trial as quickly as possible.

What Should I Do If The Plaintiff Owes Me Money?

If you claim the plaintiff owes you money, this is called a counterclaim. Explain how much the plaintiff owes you and why in the counterclaim section of the Answer form.

What If I Know I Owe The Plaintiff Some Money?

If you think you owe the plaintiff something, but you do not agree with the amount the plaintiff is asking for or you are not sure how much you owe the plaintiff, you should file a written Answer. This gives you a chance to come to court for a trial to question how the plaintiff added up the amount claimed.

What Should I Do If I Admit That I Owe The Plaintiff The Whole Amount?

If you are sure that you owe the whole amount but you want time to pay, you must file an Answer **not later than the Answer date**, stating that you want time to pay the claim and why you are asking for the extra time to pay. You may ask for a period of time during which you can make payments that you suggest. If you do not, and you are an individual, the court will enter a judgment with an order of payments of \$35.00 each week until the judgment is paid. If you ask to pay less than \$35.00 per week and the plaintiff does not agree, a trial will be scheduled.

A judgment against a business entity, for example, a corporation, or a judgment against a landlord for return of a security deposit, will be ordered paid in the full amount. This will be entered as a judgment of the court.

If you pay the plaintiff/plaintiff's attorney the full amount owed **plus costs**, if any, before the answer date, tell the court on the Answer form. Do not send payment(s) to the court.

Where And When Do I Have To Go To Court?

If a trial is required, you will be sent a notice of the date, time and place of the trial. Even if you filed an Answer or a request for time to pay, the court can enter a judgment against you if you do not come to court on the date and time set for the trial.

What Do I Need To Bring To Court?

On the day of the trial, you must bring all your witnesses and evidence (bills, invoices, checks) to court with you. This includes any defective or damaged goods that can be brought to court safely and easily, estimates of damages, pictures, and anything else that you want the court to look at. Be complete and organized in your case. **A small claims judgment cannot be appealed.**

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA/.

**WITHDRAWAL
SMALL CLAIMS AND
HOUSING MATTERS**

JD-CV-70 Rev. 11-09

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Docket number
Return date
Answer date

Name of case (First-named Plaintiff vs. first-named Defendant)

Judicial District at: _____
 Housing Session at: _____
 Geographical Area _____
 Small Claims at: _____

(*x* All that apply)

- The Plaintiff's action is **withdrawn against all defendants** and no costs will be paid to any party.
- The Plaintiff's action is **withdrawn against defendant(s)** _____ **only**, and no costs will be paid.

The:

- Complaint
 Counterclaim
 Cross complaint

in the action named above is **withdrawn**.

Signature Required	Signed (Plaintiff/Plaintiff's attorney)
	Signed (Defendant/Defendant's attorney)

Name, address and telephone number of person signing above

Certification

I certify that a copy was mailed or delivered to all counsel and self-represented parties of record on:	Date	Signed (Individual attorney or self-represented party)
Name of each party copy was mailed or delivered to*		Address copy was mailed or delivered to*

* If necessary, attach additional sheet with names of each party copy was mailed or delivered to and address copy was mailed or delivered to.

For Court Use Only

WITHDRAWAL - SMALL CLAIMS AND HOUSING MATTERS

MOTION TO TRANSFER TO THE REGULAR DOCKET

SC _____ : SUPERIOR COURT
 _____ : SMALL CLAIMS AREA AT _____
 (PLAINTIFF) VS : HOUSING SESSION AT _____
 _____ : _____
 (DEFENDANT) (DATE)

MOTION TO TRANSFER TO THE REGULAR DOCKET

The DEFENDANT/PLAINTIFF in he above-entitled matter, pursuant to Section 24-21 of the Practice Book, moves that this action be transferred to the regular docket of the Superior Court, and in support of this motion, files the attached affidavit and any appropriate fees.

DEFENDANT / PLAINTIFF

ORDER

The above motion having been presented to the court, IT IS HEREBY ORDERED: GRANTED / DENIED.

BY THE COURT

(Judge / Magistrate)

CERTIFICATION

I certify that a copy of this motion and attached affidavit was sent, postage prepaid, on the _____ day of _____, 20____, to:

(Name(s) and address(es) of party(ies))

DEFENDANT / PLAINTIFF

AFFIDAVIT IN SUPPORT OF MOTION

SC _____ : **SUPERIOR COURT**

(PLAINTIFF) : **SMALL CLAIMS AREA AT _____**
VS : **HOUSING SESSION AT _____**

(DEFENDANT) : _____
(DATE)

AFFIDAVIT IN SUPPORT OF MOTION TO TRANSFER TO THE REGULAR DOCKET

The undersigned duly deposes and says that he / she is the defendant / plaintiff in the above-entitled matter and states as follows:

1. I am over the age of eighteen years and I believe in the obligation of an oath.
2. I request that this action be transferred tot he regular docket for the following reason(s):

AFFIANT

Subscribed and sworn to before me this ____ day of _____, 20 .

CLERK / NOTARY PUBLIC
COMMISSIONER OF THE SUPERIOR COURT

SUBPOENA/CIVIL

JD-CV-43 Rev. 3-09
C.G.S. § 52-143, 52-144
Pr. Bk. Secs. 7-19, 24-22

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



Court Use Only
SUBISSU

Instructions:

1. Do **Not** use this subpoena if the witness is being summoned by the state or by the attorney general or an assistant attorney general or by any public defender or assistant public defender acting in his/her official capacity.

2. The person being subpoenaed and the items they are ordered to bring as listed below must be identical to the names and items as ordered on the Application for Issuance of Subpoena, form JD-CV-62.



Name of Case				Docket Number
<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	<input type="checkbox"/> Geographical Area Number	<input type="checkbox"/> Small Claims Area	Address of Court (Number, street and town)

To: (Name and address)

Date and time you are to appear	Time	Report to
	. m.	<input type="checkbox"/> Clerk's office <input type="checkbox"/> Courtroom number _____ <input type="checkbox"/> Person requesting subpoena

By Authority of The State of Connecticut, you are commanded to come to the court at the Address of Court above on the Date and Time indicated above or to another day after (within 60 days of the Date indicated above) when the case will be tried; you must come to the court to testify what you know in the case.

You Are Further Commanded To Bring With You And Produce:

Hereof Fail Not, Under Penalty Of The Law.

To any proper officer or indifferent person to serve and return.		Name of person requesting subpoena	Telephone number
Signed (Clerk, Commissioner of Superior Court)	Print or type name	Date	At

Notice To The Person Summoned

If you do not come to court on the day and at the time stated, or on the day and at the time which your appearance may have been postponed or continued to by order of an officer of the court, the court may order that you be arrested. Also, if one day's attendance and traveling fees have been paid to you and you do not come to court and testify, without reasonable excuse, you will be fined not more than \$25.00 (twenty-five dollars) and pay all damages to the aggrieved party. **The party requesting the subpoena is responsible for paying the witness fees.**

Any questions regarding this subpoena should be directed to the person who requested it.

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact the clerk of the court at the Address of Court shown above.

Telephone number: _____

Return Of Service

Judicial District of	SS.	Date
Then and there I made service of the within subpoena not less than eighteen hours prior to the time designated for the person summoned to appear, by reading the same in the presence and hearing/leaving a true and attested copy hereof in the hands/at the last usual place of abode of each of the within-named persons, viz:		Fees
		Copy
		Endorsement
		Service
		Travel (Show miles & amount)
Attest (Signature of proper officer or indifferent person)	Title (if applicable)	Total

Distribution: Original - Return to clerk after making service Copy 1 - Witness Copy 2 - Court file



Form JD-CV-23a must be attached to this form

<input type="checkbox"/> Judicial District <input type="checkbox"/> Housing Session <input type="checkbox"/> Geographical Area number		At _____	Docket number _____
Address of court (Number, street, town, and zip code)			
Date of judgment	Original amount of judgment	Amount due on the judgment	
Name of creditor (Person or business judgment is for)		Address of judgment creditor (Street and town)	
Name of judgment debtor (Person or business judgment is against)		Address of judgment debtor (Street and town)	
Name and address of person believed to have assets of judgment debtor (If applicable)			
Date interrogatories were served (Delivered)	Name and address of person that interrogatories must be returned to		

Instructions To:

Judgment Creditor:

Put an "X" in the box next to the questions to be answered on form JD-CV-23a that is attached to this form.

Person who received Interrogatories:

Answer the questions indicated by an "X" on form JD-CV-23a that is attached to this form. You must give information that you have about the assets of the judgment debtor up to an amount clear enough to satisfy the judgment indicated by the "Amount due on the judgment" above. Place your answers in the space provided on the form. If you need more space to answer the questions, use the space on the back of form JD-CV-23a or attach additional sheets to this form.

Notice

Do not file the interrogatories, the notice of interrogatories or the objections to the interrogatories with the court.

The person who received these interrogatories must answer and return them within 30 days of the date of their service (delivery) to the person named above.

If the person who received these interrogatories does not answer and return them within 30 days or does not within 30 days disclose assets of the judgment debtor that are enough for execution, or if the person who received the interrogatories objects within 30 days, the judgment creditor may ask the court for additional discovery orders that may be necessary to make sure that disclosure is made including (1) an order for compliance with the interrogatories or (2) an order authorizing additional interrogatories. The judgment creditor may ask for and get discovery, including the taking of depositions, from any person served with interrogatories under the procedures for discovery in civil actions without the court ordering it. The court may order additional discovery as justice requires. If the person asked for discovery does not disclose the judgment debtor's assets, that person may be held in contempt of court. Attorney's fees may be allowed for counsel at a contempt hearing necessary to enforce a court order and for counsel at any discovery hearing required because these interrogatories were not answered.

Notice Of Rights To Person Served

- Under Section 52-351b of the General Statutes, you must disclose information about the amount, nature and location of the judgment debtor's assets up to an amount clearly enough in value for full satisfaction of the judgment with interest and costs.
- Under subsection (d) of Section 52-351b of the General Statutes, any party who must disclose information about the judgment debtor's assets may apply to the court to be protected from annoyance, embarrassment, oppression or undue burden or expense.
- Certain personal property of the judgment debtor is exempt from execution (cannot be used to satisfy judgment). The following list is a description of common types of property that are exempt from execution from a judgment debtor who is a natural person. (Section 52-352b of the General Statutes).
 - Apparel, bedding, foodstuffs, household furniture and appliances that are needed by the judgment debtor to live;
 - Tools, books, instruments, farm animals and livestock feed that are needed by the judgment debtor in the course of his or her occupation, or profession, farming operation or farming partnership;
 - Public assistance payments and any wages earned by a public assistance recipient under an incentive earnings or similar program;

(Continued on page 2)

- (d) Health and disability insurance payments;
- (e) Health aids that are needed by the judgment debtor to work or to keep healthy;
- (f) Worker's compensation, social security, veterans and unemployment benefits;
- (g) Court approved payments for child support;
- (h) Arms (weapons) and military equipment, uniforms or musical instruments owned by any member of the militia or armed forces of the United States;
- (i) One motor vehicle worth up to \$3,500.00. The value of the motor vehicle must be determined as the fair market value of the motor vehicle minus the amount of all liens and security interests which are on it;
- (j) Wedding and engagement rings;
- (k) Residential utility deposits for one residence and one residential security deposit;
- (l) Any assets or interests of a judgment debtor in, or payments received by the judgment debtor from, a plan or arrangement described in Section 52-321a of the General Statutes, including, but not limited to, certain trust or retirement income or certain retirement, education, or medical savings accounts;
- (m) Alimony and support, other than child support, but only to the extent that wages are exempt from execution under Section 52-361a of the General Statutes;
- (n) An award under a crime reparations act;
- (o) All benefits allowed by any association of persons in this state to support any of its members that are incapacitated by sickness or infirmity from attending to his or her usual business;
- (p) All moneys that are owed to the judgment debtor from any insurance company on any insurance policy on exempt property, up to the same amount that the property was exempt;
- (q) Burial plot for the judgment debtor and his or her immediate family;
- (r) Transfers of money that cannot be taken back (revoked) to an account held by a debt adjuster licensed under Sections 36a-655 to 36a-665 of the General Statutes for the benefit of creditors of the judgment debtor;
- (s) Any interest of the judgment debtor in any property worth not more than \$1,000.00;
- (t) Any interest of the judgment debtor worth not more than \$4,000.00 in any accrued dividend or interest under, or loan value of, any unexpired life insurance contract owned by the judgment debtor under which the insured is the judgment debtor or is an individual who the judgment debtor is a dependent of; and
- (u) The homestead (home) of the judgment debtor worth not more than \$75,000.00, or, in the case of a money judgment arising out of services provided at a hospital worth not more than \$125,000.00, the value must be determined as the fair market value of the real property minus the amount of any statutory or agreed on (consensual) lien which is on the property.

List all real estate in your name which in total value is clearly sufficient to ensure full satisfaction of the judgment with interest and costs (*where possible give street address*).

List your accounts receivable which in total value are clearly sufficient to ensure full satisfaction of the judgment with interest and costs giving a) the name of the party, b) the amount owed, and c) the date the debt was incurred. (*If additional space is needed, attach a separate sheet to this form.*)

II. EMPLOYER

Is the Judgment Debtor employed by you? NO YES (*If yes, complete the information below*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.	
EMPLOYEE'S NORMAL WORKING HOURS	EMPLOYEE'S GROSS SALARY PER HOUR, WEEK, MONTH, OR YEAR
THE DATES ON WHICH EMPLOYEE IS PAID FOR BOTH REGULAR AND OVERTIME WORK	
NAME, ADDRESS, AND TELEPHONE NO. OF THE BOOKKEEPER, PAYROLL CLERK OR OTHER PERSON WHO DISBURSES EMPLOYEE'S WAGES OR SALARY	

III. FINANCIAL INSTITUTION

Does the Judgment Debtor maintain an account of any kind with your institution? NO YES
(*If yes, complete the information below. You may disclose only whether you hold funds of the judgment debtor on account and the balance of such funds if so held, up to the amount necessary to satisfy the judgment.*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.	
NAME, ADDRESS, AND TELEPHONE NO. OF YOUR INSTITUTION	
ACCOUNT NO. OF EACH ACCOUNT	NAME IN WHICH THE ACCOUNT IS HELD
PRESENT BALANCE IN EACH ACCOUNT	
IF JOINT ACCOUNT, THE NAME AND ADDRESS OF THE OTHER PERSON(S)	

IV. THIRD PERSON IN POSSESSION OF JUDGMENT DEBTOR'S PROPERTY

Are you in possession of nonexempt personal property belonging to the judgment debtor? NO YES
(*If yes, complete the following information.*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.
DESCRIBE THE PROPERTY, THE REASON YOU ARE HOLDING IT AND ANY CONSIDERATION THAT MAY HAVE PASSED FOR YOUR HOLDING THE PROPERTY.
LOCATION OF THE PROPERTY

V. SIGNATURE OF PERSON COMPLETING THIS FORM OR AUTHORIZED AGENT

NOTE: Interrogatories served on a judgment debtor shall be signed by such debtor under penalty of false statement.

SIGNED (<i>Person completing form or authorized agent</i>)	PRINT NAME OF PERSON SIGNING AT LEFT	DATE SIGNED
--	--------------------------------------	-------------

**WAGE EXECUTION PROCEEDINGS
APPLICATION, ORDER, EXECUTION**

JD-CV-3 Rev. 10-09
General Statutes §§ 31-58(j), 52-350a, 52-361a,
52-356d, 29 U.S.C. 206(a)(1)

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov

Employer: See Page 2 for instructions



Instructions

- Judgment Creditor or Attorney
Clerk
1. Prepare original and four copies.
 2. Attach form JD-CV-3a to one copy of this form.
 3. Present original and 3 copies to clerk of court.
 4. Keep one copy for your file.

1. Issue execution by signing original and 2 copies.
2. Retain one copy for court file
3. Enter any court ordered limitation at the bottom of section II on page 2.

- Proper Officer
1. Leave one signed copy with employer.
 2. Make return on signed original.
 3. Leave one copy of Modification and Exemption Claim form (JD-CV-3a) with employer and fill in "Date of Service" on form.

Name and mailing address of Judgment Creditor or Attorney
(To be completed by Judgment Creditor or Attorney)

[]

[]



Application	Address of court (Number, street, and town) <input type="checkbox"/> G.A. <input type="checkbox"/> J.D. <input type="checkbox"/> Housing Session		Date of judgment	Docket number	
	Amount of _____ (weekly, monthly, or other) payments ordered \$ _____ (Employers must pay amount of execution calculated on page 2 of this form)			Commencement date	
	Name(s) and address(es) of Judgment Creditor(s)		Name(s) and address(es) of Judgment Debtor(s)		
	Name and address of employer of Judgment Debtor (If known)			Telephone number of employer (If known)	
	1. Amount of judgment (Include where applicable, prejudgment interest and attorney's fees)		2. Amount of costs and fees		
	3. Total amount of judgment, costs and fees (Add 1 and 2)		4. Total amount paid (If any)	5. Total amount unpaid (Subtract 4 from 3)	
	6. Application fee for wage execution (If not waived by the court)		7. Other Court ordered postjudgment costs and fees		
	8. Total of lines 5, 6 and 7		Check if applicable <input type="checkbox"/> Postjudgment interest was ordered by the Court		
	Signed (Judgment Creditor or Attorney)		Date signed	Telephone number	

Execution	To: Any Proper Officer	
	Whereas the above-named Judgment Creditor(s) recovered judgment against the above-named Judgment Debtor(s) for the above Amount of Judgment, Costs and Fees as appears of record, whereof execution remains to be done on the Total Shown in line 8 above,	
	And Whereas, pursuant to statute, the said court entered an order that said judgment be paid in installment payments, And Whereas, the said Judgment Debtor(s) failed to comply with said order for installment payments, as appears of record by application of said Judgment Creditor(s) moving that this execution issue on said Total in line 8 above.	
These are, therefore, by authority of the State of Connecticut, to command you, that of any wages due any said Judgment Debtor as may not exceed the Amount of Execution calculated on page 2 of this form, within your precincts, you cause to be levied, paid, and satisfied unto the said Judgment Creditor(s), with postjudgment interest as ordered by the Court, if applicable, plus the application fee and other Court ordered postjudgment costs and fees, and your own fees.		
Make service hereof within one year of this date, and due return hereof with your doings thereon, within thirty days from satisfaction hereof.		
Signed (Assistant Clerk of said court)		
On (Date)		

<i>For Court Use Only</i>	
File date	

Important Notice To Employer

You are being served with a wage execution, a court order requiring you to withhold non-exempt wages from a person employed by you. This execution is being served on you because your employee, the Judgment Debtor (on page 1), has had a judgment entered against him/her by the Superior Court requiring him/her to pay judgment, costs and fees to the Judgment Creditor (on page 1) and has not made payment of the total amount of the judgment plus any costs and fees as shown on page 1. This notice is to inform you of the actions you must take in order to comply with the law regarding wage executions. Please read each section carefully.

I. You must notify the employee — Your employee has certain legal rights which may allow him/her to request the court to change or stop this execution upon his/her wages. A notice of his/her rights and how to get a hearing in court is attached to the second copy of the wage execution given to you by the officer. You must complete your portion of the wage execution and your portion of the exemption and modification claim form and deliver or mail, postage prepaid, a copy of these papers to your employee immediately so that your employee can make any claims allowed by law.

II. Execution not effective for 20 days — This execution is not effective until after 20 days from the day the officer served these papers on you. No money should be deducted from your employee's wages until the first wages you pay to your employee after the 20-day period ends.

If your employee elects within the 20-day period to make a claim to the court that his/her wages are partially or totally exempt from execution to pay this judgment or he/she seeks to have the amount of this execution changed, wages are not to be withheld from the employee until the court decides the claims or determines the rights of your employee in this case.

If you are not notified that your employee has filed papers with the court, the execution is to be enforced after 20 days from the date of service on you.

III. Stay of execution — No earnings claimed to be exempt or subject to a claim for modification may be withheld from any employee until determination of the claim by the court.

IV. Only one execution issued under section 52-361a of the General Statutes is to be satisfied at a time — You must make deductions from your employee's wages and pay over the withheld money against only one execution issued under General Statutes section 52-361a at a time. If you are served with more than one execution issued under General Statutes section 52-361a against this employee's wages, the

executions are to be satisfied in the order in which you are served with them. (*Income withholdings and voluntary wage deductions for support of a family, if there are any, must be paid before this execution. Family support income withholdings and voluntary wage deductions are issued on Form JD-FM-1.*)

V. Maximum amount deducted — The maximum amount which can be legally withheld from your employee's wages is 25% of his/her disposable earnings for each week. The amount to be withheld to pay this execution may be less than 25%, but it can never be more. The computations you complete below will allow you to calculate the exact amount which should be withheld from this employee's wages.

Unless the court orders that this execution is to be for a smaller amount, you must withhold and pay over the maximum amount which you figure out using the computations below. Your employee has a right to request the court to reduce the amount withheld, but until you receive notice that the court has agreed to allow the amount to be reduced, you must withhold the maximum amount.

VI. Your duty to comply with this execution — You have a legal duty to make deductions from your employee's wages and pay any amounts deducted as required by this execution. If you do not, legal action may be taken against you. If you are found to be in contempt of a court order, you may be held liable to the Judgment Creditor for the amounts of wages which you did not withhold from your employee.

VII. Discipline against your employee — You may not discipline, suspend or discharge your employee because this wage execution has been served upon you. If you do unlawfully take action against your employee, you may be liable to pay him all of his lost earnings and employment benefits from the time of your action to the time that the employee is reinstated.

The law allows you to take disciplinary measures against the employee if you are served with more than 7 wage executions against his/her wages in any calendar year.

Section I. Computation Of Employee's Disposable Earnings

"Disposable Earnings" means that part of the earnings of an individual remaining after the deduction from those earnings of amounts to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums, and federal tax levies.

- 1. Employee's gross compensation per week..... _____
- 2. Federal income tax withheld..... _____
- 3. Federal employment tax..... _____
- 4. Normal retirement contribution..... _____
- 5. Union dues and initiation fees..... _____
- 6. Group life insurance premium..... _____
- 7. Health insurance premium..... _____
- 8. Other federal tax levies..... _____
- 9. Total allowable deductions (Add lines 2-8)..... _____
- 10. Weekly Disposable Earnings (Subtract line 9 from line 1).....

Section II. Computation Of Employee's Disposable Earnings

<i>To be calculated by employer</i>	Column 1	Column 2
A-1. Weekly disposable earnings (from line 10 above)	\$	
A-2. 25% of disposable earnings for week		\$
B-1. Weekly disposable earnings (from line 10 above)	\$	
B-2. Forty times the HIGHER of the current federal minimum hourly wage OR state full minimum fair wage.	\$	
Amount by which line B-1 exceeds B-2		\$
Amount of Execution (<i>Lesser of the two amounts in column 2 subject to any court ordered limitation set forth in the box below if a lesser amount.</i>)		\$

Court ordered limitation (If any, to be entered by clerk)

**EXEMPTION AND MODIFICATION
CLAIM FORM, WAGE EXECUTION**

JD-CV-3a Rev. 3-10
C.G.S. § 51-59(j), 52-212, 52-350a, 52-352b, 52-361a,
52-361b, 29 U.S.C. 206(a)(1)

STATE OF CONNECTICUT
SUPERIOR COURT

www.jud.ct.gov



Name and mailing address of judgment debtor (person who must pay money) or
attorney of judgment debtor
(To be completed by judgment creditor (person who money is paid to))

To:

Instructions

To proper officer: Complete Section II below and make service on employer in accordance with the instructions on form JD-CV-3.

To employer: Complete Section III below and immediately deliver to employee.

Section I - Judgment Creditor (person who money is paid to) must fill out this section and attach to one copy of the wage execution application (JD-CV-3).

<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	<input type="checkbox"/> G.A. number _____	Name and address of court
Name of case			Docket number
Name of judgment debtor (person who must pay money)			

Section II - Proper Officer must complete this section

Name of proper officer	Date of service of wage execution on employer
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Section III - Employer must fill out this section and IMMEDIATELY send one copy of this form and the Wage Execution form (JD-CV-3) to the judgment debtor (General Statutes section 52-361a(d)).

Name and address of employer	Telephone number of payroll department	
Date of delivery or mailing to judgment debtor	Total amount of wage execution \$	Amount to be taken out from weekly earnings \$

Section IV - Notice to judgment debtor (person who must pay money)

Because a judgment entered against you, the attached execution has been issued against wages earned by you from the employer named above. Beginning twenty (20) days from the Date of Service of Wage Execution on Employer indicated above, the employer will remove from your weekly earnings an amount of money which leaves you with (a) seventy-five percent (75%) of your disposable earnings OR (b) forty (40) times the higher of the minimum hourly wage set by federal law or state law; whichever is the larger amount. On page 2 of this form are the sections of the Connecticut General Statutes which your employer must follow to figure out (calculate) the weekly amount that may be taken out of your wages to agree with the wage execution. If you think that your employer has not calculated the weekly amount correctly, you should tell your employer.

Your earnings may be exempt from execution (do not have to be taken) — Any wages earned by a person who gets public assistance under an incentive earnings or similar program are exempt from (may not be taken from you by an) execution. (Section 52-352b(d) of the Connecticut General Statutes).

How to claim an exemption allowed by law — If you want to claim that your earnings are exempt by law from execution you must fill out and sign the Claim of Exemption on page 2 of this form and return this exemption and modification claim form to the Superior Court at the above address.

When the clerk of the Superior Court gets this form, the clerk will notify you and the judgment creditor of the date on which the court will have a hearing to figure out the issues raised by your claim. If this form is received by the court no later than twenty (20) days from the Date of Service of Wage Execution on Employer indicated above, the employer will not begin withholding (removing) your earnings from your wages until after your claim is figured out by the court. A claim may also be filed after the twenty (20) day period. No earnings claimed to be exempt may be withheld from any employee until the claim has been figured out.

Modification of execution — If you have reasonable cause to believe that you have a right to a modification (change) of the wage execution and you want to ask for a modification (to have less money taken from your wages), you must fill out the Claim for Modification on page 2 of this form and return this exemption and modification claim form to the Superior Court at the address listed above.

When the clerk of Superior Court gets this form the clerk will tell you and the judgment creditor the date on which the court will have a hearing court to figure out the issues raised by your claim. If this form is received by the court no later than twenty (20) days from the Date of Service of Wage Execution on Employer indicated above, the employer will not begin withholding your earnings until after your claim is figured out by the court. A claim may also be filed after the twenty (20) day period. No earnings subject to a claim for modification may be withheld from any employee until the claim has been figured out.

Setting aside judgment — If the judgment was made against you because you did not come to court, you may, within four (4) months of the date the court made its judgment and upon belief that you have reasonable cause, ask the court to set aside the judgment entered against you and the case will begin again.

For Court Use Only	
File date	

Section V - Claim of exemption established by law

I, the Judgment Debtor (person who must pay money), claim and certify under the penalty of false statement that my earnings are exempt from execution (do not have to be taken) because:

- I get public assistance and earn wages under an incentive earnings or similar program and my earnings are exempt from execution, or
- Other statutory exemption (state exemption and statutory citation) _____

Signed (<i>Judgment Debtor</i>)	Date signed	Name and address of judgment debtor	Telephone number
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Section VI - Claim for modification

I, the Judgment Debtor (person who must pay money), ask for a modification of the wage execution against me because:

New amount requested / Per week	Describe why you think you should get a modification (have less money taken from your wages)
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Signed (<i>Judgment Debtor</i>)	Date signed	Name and complete mailing address of judgment debtor	Telephone number
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Section VII - Agreement to a modification

The Judgment Creditor(s) (person who money is paid to) agrees to the modification of the Wage Execution claimed

Signed (<i>Judgment Creditor(s) or Attorney</i>)	Date
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Section VIII - Notice of hearing on exemption / modification claim

Date of hearing	Time of hearing	Courtroom	By the Assistant Clerk
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Section IX - Order of court

It is ordered that:

Signed (<i>Judge, Magistrate, Assistant Clerk</i>)	Date signed
By order of the court	

General statutes

1. The following is the part of section 52-361a(f) of the Connecticut General Statutes which says what part of your wages can be removed by the employer and given to the judgment creditor.

"The maximum part of the aggregate weekly earnings of an individual which may be subject under this section to levy or other withholding for payment of a judgment is the lesser of (1) twenty-five (25) percent of his disposable earnings for that week, or (2) the amount by which his disposable earnings for that week exceed forty (40) times the higher of (A) the minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938, 29 U.S.C. section 206(a)(1), or (B) the full minimum fair wage established by subsection (j) of section 31-58, in effect at the time the earnings are payable."

2. The following is the part of section 52-350a(4) of the Connecticut General Statutes which defines disposable earnings and which defines what parts of your wages which can not be included in your total earnings when figuring out (calculating) the weekly amount which is subject to execution.

"Disposable earnings' means that part of the earnings of an individual remaining after the deduction from those earnings of amounts required to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums and federal tax levies."

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact the clerk at the court named on page 1 or an ADA contact person listed at www.jud.ct.gov/ADA/.

INSTRUCTIONS (continued from front/page 1)

PERSON IN POSSESSION OF PROPERTY OF JUDGMENT DEBTOR WHO IS A NATURAL PERSON — Pursuant to Gen. Stat. 52-356a, you are required to mail to the judgment debtor indicated on the front/page 1 at his or her last known address, postage prepaid, a copy of this property execution and the attached property execution exemption claim form. Complete Section III on exemption claim form before mailing it to judgment debtor. Twenty days from the date of the service of this property execution, you must deliver to the proper officer property owned by the judgment debtor in your possession or you must deliver to the proper officer payment of a debt owed by you to the judgment debtor. EXCEPT (1) If an exemption claim has been filed with the court you shall withhold delivery of the property or payment of the debt owed by you subject to the determination of the exemption claim by the court and (2) if the debt owed by you to the judgment debtor is not due at the expiration of the twenty days, you shall pay the amount to the proper officer when the debt becomes due if it becomes due within four months after the date of issuance of this execution.

PERSON IN POSSESSION OF PROPERTY OF JUDGMENT DEBTOR WHO IS NOT A NATURAL PERSON — Pursuant to Gen. Stat. 52-356a, you are required to deliver to the proper officer, property in your possession owned by the judgment debtor or pay to the proper officer the amount of a debt owed by you to the judgment debtor, provided, if the debt owed by you is not yet payable, payment shall be made to the proper officer when the debt becomes due if it becomes due within four months after the date of issuance of this execution.

NOTICE TO JUDGMENT CREDITOR OR ATTORNEY

Pursuant to Public Act 03-266, Section 9, in the case of a judgment arising of services provided at a hospital, no application for a property execution shall be made until the court has (A) issued an order for installment payments in accordance with Gen. Stat. 52-356d, (B) made a finding that the debtor has defaulted on payments under the order, and (C) lifted the mandatory stay concerning noncompliance or default, and decide whether to modify the installment payment plan, continue the installment payment plan, or lift the stay.

DEMAND ON THIRD PERSON (continued from front/page 1)

EXECUTION (continued)

A. If judgment debtor is a natural person:

On failure of the judgment debtor to make immediate payment of all sums due under the money judgment, and upon your being unable to levy on nonexempt personal property of the judgment debtor in the judgment debtor's possession and, if the judgment debtor has left the state prior to the service of this execution, upon your being unable to obtain payment sufficient to satisfy the judgment by making demand for payment at the judgment debtor's last known address in this state and on any agent or attorney of the judgment debtor of record with the clerk of the Superior Court, you are also commanded to make demand upon any third person having possession of nonexempt personal property of the judgment debtor for payment to you, or to levy on any nonexempt personal property or debt due said judgment debtor sufficient to satisfy the total amount of judgment unpaid pursuant to Gen. Stat. 52-356a(4)(c). After having made such demand you are directed to serve two true and attested copies of this execution, together with the exemption claim form, with your doings endorsed thereon, on the third person upon whom such demand was made.

B. If judgment debtor is not a natural person:

On failure of the judgment debtor to make immediate payment of all sums due under the money judgment and upon your being unable to levy on nonexempt personal property of the judgment debtor in the judgment debtor's possession and, if the judgment debtor has left the state prior to the service of this execution, upon your being unable to obtain payment sufficient to satisfy the judgment by making demand for payment at the judgment debtor's last known address in this state and on any agent or attorney of the judgment debtor of record with the clerk of the Superior Court, you are also commanded to make demand upon any third person having possession of nonexempt personal property of the judgment debtor for payment to you or to levy on any nonexempt personal property or debt due said judgment debtor(s) sufficient to satisfy the total amount of the judgment unpaid pursuant to Gen. Stat. 52-356a(4)(c).

**EXEMPTION CLAIM FORM
PROPERTY EXECUTION**
JD-CV-5b Rev. 8-06
C.G.S. 52-321a, 52-352b, 52-361a, 52-361b

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



NAME AND MAILING ADDRESS OF JUDGMENT DEBTOR OR ATTORNEY
(To be completed by judgment creditor or judgment creditor's attorney)

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INSTRUCTIONS

TO JUDGMENT CREDITOR OR JUDGMENT CREDITOR'S ATTORNEY: Complete section I below and follow instructions on form JD-CV-5.
TO PROPER OFFICER: Complete section II below and follow instructions on form JC-CV-5.
TO THIRD PERSON: Complete section III below and follow instructions on form JD-CV-5.
TO JUDGMENT DEBTOR: Read section IV below and complete section V if applicable.

SECTION I (Must be completed by judgment creditor or judgment creditor's attorney)

ADDRESS OF COURT (Number, street, town, zip code) G.A. J.D. HOUSING SESSION

NAME OF CASE DOCKET NO.

NAME OF JUDGMENT DEBTOR

SECTION II (Must be completed by proper officer)

DATE OF SERVICE OF EXECUTION NAME AND ADDRESS OF PROPER OFFICER

NAME AND ADDRESS OF THIRD PERSON SERVED WITH EXECUTION (if any) TELEPHONE NO. (if known)

SECTION III (Must be completed by third person served with execution (if any))

DATE EXECUTION MAILED TO JUDGMENT DEBTOR

SECTION IV NOTICE TO JUDGMENT DEBTOR

As a result of a judgment entered against you the attached execution has been issued against your personal property. **SOME OF YOUR PERSONAL PROPERTY MAY BE EXEMPT FROM EXECUTION** -- Certain classes of personal property may be protected from execution by state statutes or other laws or regulations of this state or of the United States. A checklist and description of the most common classes of personal property of a natural person exempt from execution are set forth on page 2 of this form.

HOW TO CLAIM AN EXEMPTION ESTABLISHED BY LAW -- If you wish to claim that the property levied on by the levying officer is exempt by law from execution you must fill out and sign the Claim of Exemption on page 2 of this form and return this exemption claim form to the clerk of the Superior court at the above address. **The form must be received by the clerk of the Superior Court within 20 days after levy on the property.**

Upon receipt of this form, the court clerk will notify you and the judgment creditor of the date on which a hearing will be held by the court to determine the issues raised by your claim.

RIGHT TO REQUEST INSTALMENT PAYMENT ORDER -- Pursuant to section 52-356d of the general statutes, if you are a consumer judgment debtor, you may seek to have the court issue an instalment payment order with a provision that compliance with the order prevents a levy on your property. An instalment payment order is an order of the court that you pay a weekly amount to the judgment creditor until the judgment is satisfied.

"Consumer Judgment" means a money judgment of less than five thousand dollars against a natural person resulting from a debt or obligation incurred primarily for personal, family, or household purposes.

SETTING ASIDE THE JUDGMENT -- If the judgment was rendered against you because of your failure to appear in court, you may, pursuant to section 52-212 of the general statutes, within four months of the date judgment was rendered and upon belief that you have reasonable cause, move the court to set aside the judgment rendered against you.

FOR COURT USE ONLY

[]

SECTION V CLAIM OF EXEMPTION ESTABLISHED BY LAW

I, the judgment debtor, hereby claim and certify under penalty of false statement that the property described below is exempt from execution as follows:

NAME AND ADDRESS OF PERSON HOLDING PROPERTY TELEPHONE NO.

PROPERTY CLAIMED TO BE EXEMPT

DESCRIBE BASIS FOR EXEMPTION AS ESTABLISHED BY LAW

COMPLETE MAILING ADDRESS OF JUDGMENT DEBTOR TELEPHONE NO.

SIGNED (Judgment debtor) DATE SIGNED

SECTION VI NOTICE OF HEARING ON EXEMPTION/MODIFICATION CLAIM
DATE OF HEARING TIME OF HEARING COURTROOM NO. BY THE ASSISTANT CLERK

SECTION VII ORDER OF COURT

ORDERED that the following item(s) are exempt from execution:

SIGNED (Judge, Magistrate, Assistant Clerk) BY ORDER OF THE COURT DATE SIGNED

CHECKLIST AND DESCRIPTION OF COMMON EXEMPTIONS ALLOWED BY LAW (C.G.S. § 52-352b)

- (a) Necessary apparel, bedding, foodstuffs, household furniture and appliances;
(b) Tools, books, instruments, farm animals and livestock feed, which are necessary to the exemptioner in the course of his or her occupation, profession, farming operation or farming partnership;
(c) Burial plot for the exemptioner and his or her immediate family;
(d) Public assistance payments and any wages earned by a public assistance recipient under an incentive earnings or similar program;
(e) Health and disability insurance payments;
(f) Health aids necessary to enable the exemptioner to work or to sustain health;
(g) Worker's compensation, social security, veterans and unemployment benefits;
(h) Court approved payments for child support;
(i) Arms and military equipment, uniforms or musical instruments owned by any member of the militia or armed forces of the United States;
(j) One motor vehicle to the value of one thousand five hundred dollars, provided such value shall be determined as the fair market value of the motor vehicle less the amount of all liens and security interests which encumber it.
(k) Wedding and engagement rings;
(l) Residential utility deposits for one residence and one residential security deposit;
(m) Any assets or interests of an exemptioner in, or payments received by the exemptioner from, a plan or arrangement described in section 52-321a;
(n) Alimony and support, other than child support, but only to the extent that wages are exempt from execution under general statute section 52-361a;
(o) An award under a crime reparations act;
(p) All benefits allowed by any association of persons in this state towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business; and
(q) All moneys due the exemptioner from any insurance company on any insurance policy issued on exempt property, to the same extent that the property was exempt.
(r) Any interest of the exemptioner in any property not to exceed in value one thousand dollars;
(s) Any interest of the exemptioner not to exceed in value four thousand dollars in any accrued dividend or interest under, or loan value of, any unmaturred life insurance contract owned by the exemptioner under which the insured is the exemptioner or an individual of whom the exemptioner is a dependent; and
(t) The homestead of the exemptioner to the value of seventy-five thousand dollars or, in the case of a money judgment arising out of services provided at a hospital, to the value of one hundred twenty-five thousand dollars, provided value shall be determined as the fair market value of the real property less the amount of any statutory or consensual lien which encumbers it.
(u) Irrevocable transfers of money to an account held by a bona fide nonprofit debt adjuster licensed pursuant to sections 36a-655 to 36a-665 inclusive for the benefit of creditors of the exemptioner.

**FINANCIAL INSTITUTION EXECUTION
PROCEEDINGS - JUDGMENT DEBTOR
WHO IS A NATURAL PERSON,
APPLICATION AND EXECUTION**

JD-CV-24 Rev. 12-09
C.G.S. §§ 52-356b, 52-367b

**STATE OF CONNECTICUT
SUPERIOR COURT**
www.jud.ct.gov

(See page 2 for instructions to financial institution)



Instructions - Judgment Creditor Or Attorney

1. Type or print legibly.
2. Complete the application section; prepare original and 2 copies.
3. Complete section 1 of the Exemption Claim Form, JD-CV-24a and attach to this form.
4. Present original and 1 copy to clerk of court. Retain a copy.

Instructions - Clerk

1. Check the file to ensure that the information provided on the application is correct.
2. Sign original execution.
3. Return original to applicant, retain a copy for file.

Address of court	<input type="checkbox"/>	Judicial district	<input type="checkbox"/>	Geographic area	Docket number
	<input type="checkbox"/>	Housing session			
Name and mailing address of Judgment Creditor or Attorney (To be completed by Judgment Creditor)					
					
Name(s) and address(es) of Judgment Creditor(s)					
Name(s) and address(es) of Judgment Debtor(s)					
Date of judgment	1. Amount of judgment (include, where applicable, prejudgment interest and attorney's fees)	2. Amount of costs	3. Amount of judgment, costs and fees (Add 1 and 2)		
4. Total amount paid (If any)	5. Total amount unpaid (Subtract 4 from 3)	6. Application fee for financial institution execution (If not waived by the court)			
7. Other court ordered postjudgment costs and fees		8. Total of items 5, 6 and 7	<input type="checkbox"/> Check if applicable <input type="checkbox"/> postjudgment interest was ordered by the court		
Is this judgment arising out of services rendered at a hospital? <input type="checkbox"/> No <input type="checkbox"/> Yes					
If this is a judgment arising out of services rendered at a hospital, has a stay of a financial institution execution been entered pursuant to an installment payment order? <input type="checkbox"/> No <input type="checkbox"/> Yes					
If a stay of a financial institution execution has been entered, has the Judgment Debtor defaulted on an installment payment order? <input type="checkbox"/> No <input type="checkbox"/> Yes (Specify):					
Signed (Judgment Creditor or Attorney)			Date signed		Telephone number

Financial Institution Execution

To any proper officer,

Whereas on said Date of Judgment the above-named Judgment Creditor(s) recovered judgment against the above-named Judgment Debtor(s) before the above-named court for the amount of judgment, costs and fees stated above, as appears of record, whereof execution remains to be done. These are, therefore, **by authority of the state of Connecticut to command you:**

Within seven days from your receipt of this execution, make demand upon the main office of any financial institution having its main office within your county, or if such main office is not within your county and such financial institution has one or more branch offices within your county, upon an employee of such a branch office, such employee and such branch office having been designated by the financial institution in accordance with regulations adopted by the commissioner of banking, for payment to you pursuant to section 52-367b(b) of the general statutes of any nonexempt debt due said Judgment Debtor(s), which sum shall not exceed the total unpaid judgment, costs and fees as stated above, plus postjudgment interest as ordered by the court, if applicable, plus the application fee and other court ordered postjudgment costs and fees and your own fee. After having made such demand you are directed to serve a true and attested copy of this execution, together with the attached affidavit and exemption claim form, with your doings endorsed thereon, with the financial institution officer upon whom such demand was made.

Said sum shall be received by you and applied on this execution in accordance with the provisions of section 52-367b of the general statutes. You shall not serve more than one financial institution execution per judgment debtor at a time, including copies thereof. After service of an execution on one financial institution, you shall not serve the same execution or a copy thereof upon another financial institution until receiving confirmation from the preceding financial institution that the judgment debtor had insufficient funds at the preceding financial institution available for collection to satisfy the execution, provided any such additional service is made not later than forty-five days from the receipt by you of such execution.

Hereof fail not, and make due return of this writ with your doings thereon, according to law.

Signed (Assistant Clerk)

Date signed

For Court Use Only

NOTE: The provisions of section 52-367b, as amended from time to time, take precedence over these instructions.

Instructions To Financial Institution Upon Receipt Of A Financial Institution Execution When Judgment Debtor Is A Natural Person

1. If any funds are removed from the judgment debtor's account pursuant to subsection (c) of section 52-367b of the general statutes, complete section II of the accompanying Exemption Claim Form (JD-CV-24a) and send, forthwith, 2 copies of both this form and the Exemption Claim Form to the judgment debtor and to any secured party that is a party to a control agreement between you and such secured party under article 9 of title 42a of the general statutes, postage pre-paid, at the last known address of the judgment debtor and of any such secured party with respect to the affected accounts on the records of your institution.
2. Remove from the judgment debtor's account the amount of any debts due from you to the judgment debtor not exceeding the Total Amount Unpaid as appears on page 1 of this form plus interest and the Application Fee for Financial Institution Execution and other court ordered postjudgment costs or fees and the serving officer's fee, before your midnight deadline, as defined in section 42a-4-104 of the general statutes. If electronic direct deposits that are readily identifiable as exempt federal veterans' benefits, social security benefits, including, but not limited to, retirement, survivors' and disability benefits, supplemental security income benefits or child support payments processed and received pursuant to Title IV-D of the Social Security Act were made to the judgment debtor's account during the thirty-day period preceding the date that the execution was served on you, you shall leave the lesser of the account balance or one thousand dollars in the judgment debtors' account; provided nothing in this subsection shall be construed to limit your right or obligation to remove such funds from the debtor's account if required by any other provision of law or by a court order. The judgment debtor shall have access to such funds left in the judgment debtor's account. You may notify the judgment creditor that funds have been left in the judgment debtor's account pursuant to this provision. Nothing herein shall alter the exempt status of funds which are exempt from execution under subsection (a) of section 52-367b of the general statutes or under any other provision of state or federal law, or the right of a judgment debtor to claim such exemption. Nothing herein shall be construed to affect any other rights or obligations of the financial institution with regard to the funds in the judgment debtor's account.
3. You must hold the amount removed from the judgment debtor's account pursuant to this execution for fifteen days from the date you mail the copies of this form and the Exemption Claim Form to the judgment debtor and any secured party. During such fifteen day period you must not pay the officer serving this execution.
4. If the judgment debtor returns the Exemption Claim Form or other written notice that an exemption is being claimed, and if any secured party delivers to you written notice of such secured party's claim of a prior perfected security interest in such deposit account, you must, within two business days of receipt of such notice, send a copy of such notice to the clerk of the court which issued the execution. You must continue to hold the amount removed from the judgment debtor's account for forty-five days or until a court order is received regarding disposition of the funds, whichever occurs earlier. If no order is received within forty-five days of the date you send a copy of the Exemption Claim Form or notice of exemption or a secured party claim notice to the clerk of the court, you must return the funds to the judgment debtor's account.
5. If you do not receive a claim of exemption or secured party claim notice within fifteen days of the mailing to the judgment debtor and any secured party of the execution and Exemption Claim Form you must, upon demand, forthwith pay the serving officer the amount removed from the judgment debtor's account.
6. If no exemption claim or secured party claim notice is filed or if the court orders you to pay the serving officer an amount removed from the judgment debtor's account not exceeding the amount due on the execution and you fail or refuse to do so, you shall be liable in an action therefor to the judgement creditor(s) named in the execution for the amount of nonexempt monies which you fail or refuse to pay over. If no exemption claim is filed or if the court orders you to pay the serving officer an amount removed from the judgment debtor's account not exceeding the amount due on the execution and you fail or refuse to do so, you shall be liable in an action therefor to the judgment creditor(s) name in the execution for the amount of nonexempt monies which you fail or refuse to pay over, excluding funds of up to one thousand dollars which you in good faith allowed the judgment debtor to access pursuant to subsection (c) of section 52-367b of the general statutes.
7. If you pay exempt monies from the account of the judgment debtor contrary to these instructions, or the provisions of section 52-367b of the general statutes, you shall be liable in an action therefor to the judgment debtor for any exempt monies so paid. If you pay exempt monies from the account of the judgment debtor contrary to these instructions, or the provisions of section 52-367b of the general statutes, you shall be liable in an action therefor to the judgment debtor for any exempt monies so paid and you shall refund or waive any charges of fees by you, including, but not limited to, dishonored check fees, overdraft fees or minimum balance service charges and legal process fees, which were assessed as a result of such payment of exempt monies.

**EXEMPTION CLAIM FORM
FINANCIAL INSTITUTION EXECUTION**

JD-CV-24A Rev. 7-10
C.G.S. 31-58(j), 52-321a, 52-350a, 52-352b,
52-361a, 52-367b, 29 U.S.C. 206(a)(1)

SEE INSTRUCTIONS ON BACK/PAGE 2

STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



Name and address of Judgment Debtor or Attorney
(To be completed by judgment creditor or attorney)

To: []
[]
[]

Section I — (To be completed by judgment creditor)

<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	<input type="checkbox"/> Geographical Area Number	Name and address of Court (Number, Street, Town and Zip Code)
Name of case		Name of Judgment Debtor	Docket number

Section II — (To be completed by financial institution - see instructions on back/page 2)

Name and address of financial institution to which exemption claim (if any) is to be returned		Date of mailing to Judgment Debtor
Description of account (e.g., savings, checking, etc.) and last four digits of account number	Amount removed pursuant to execution	Amount and type of readily identifiable exempt funds not removed

Additional sheet(s) attached hereto and made a part hereof (if necessary).

Section III — Notice To Judgment Debtor

As a result of a judgment entered against you, the attached execution has been issued against funds deposited by you in the financial institution named above. In compliance with this execution, the financial institution has removed the amount of money indicated above from the account(s) enumerated above.

THE MONEY IN YOUR ACCOUNT(S) MAY BE EXEMPT FROM EXECUTION - The money in your account(s) may be protected from execution by state statutes or by other laws or regulations of this state or of the United States. A checklist and a description of the most common exemptions established by law are set forth below.

HOW TO CLAIM AN EXEMPTION ESTABLISHED BY LAW. If you wish to claim that the money in your account(s) is exempt by law from execution, you must fill out and sign before a proper official the Affidavit of Claim of Exemption below and mail or deliver this exemption claim form to the financial institution at the above address. This form must be received by the financial institution no later than 15 days from the DATE OF MAILING TO THE JUDGMENT DEBTOR indicated above.

Upon receipt of this form the financial institution will forward it to the Superior Court and the court clerk will notify you and the judgment creditor of the date on which a hearing will be held by the court to determine the issues raised by your claim.

SECTION IV AFFIDAVIT OF CLAIM OF EXEMPTION ESTABLISHED BY LAW

I, the judgment debtor named above, hereby claim and certify under the penalty of false statement that the money in the above account is exempt by law from execution as follows: ("X" all that apply to the funds contained in this account)

- | | |
|---|--|
| <input type="checkbox"/> Social Security benefits (§52-352b(g)) | <input type="checkbox"/> Private pension, trust, retirement, or medical savings account payments (§§52-321a, 52-352b(m)) |
| <input type="checkbox"/> Unemployment benefits (§52-352b(g)) | <input type="checkbox"/> Health or disability insurance payments (§52-352b(e)) |
| <input type="checkbox"/> Worker's Compensation benefits (§52-352b(g)) | <input type="checkbox"/> An amount in the bank not to exceed \$1000 (§52-352b(n)) |
| <input type="checkbox"/> Veteran's benefits (§52-352b(g)) | <input type="checkbox"/> Other claim of exempt funds (Explain basis for claim of exemption) |
| <input type="checkbox"/> Public Assistance payments (§52-352b(d)) | |
| <input type="checkbox"/> Wages* (§52-361a) | |
| <input type="checkbox"/> Wages earned by a public assistance recipient under an incentive earnings or similar program (§52-352b(d)) | Amount claimed to be exempt if less than the entire amount: _____ |
| <input type="checkbox"/> Court-ordered child support payments (§52-352b(h)) | |
| <input type="checkbox"/> Alimony and support other than child support* (§52-352b(n)) | |

*See Note Regarding Exemption for Wages and Alimony on back/page 2.

Signed	Date signed	Telephone number
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Complete mailing address of Judgment Debtor

Subscribed and sworn to before me on :	Date	At (Town)	Signed (Notary Public, Commissioner of Superior Court)
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Instructions

To Financial Institution

1. Complete section II of this form and send 2 copies of this form and the financial institution execution form to the judgment debtor and to any secured party that is party to a control agreement between the financial institution and such secured party under article 9 of title 42a pursuant to section 52-367b of the General Statutes.
2. If this claim of exemption is returned completed, fill out section VI of this form and mail, within two business days, to the issuing clerk's office at the address of court indicated on the front side. See additional instructions on the financial institution execution form.

To Clerk

1. Attach this form to each financial institution execution issued in a civil or family matter against a judgment debtor that is a natural person.
2. Deliver the execution along with this form to the judgment creditor requesting the execution.
3. If judgment debtor completes and returns this form claiming an exemption, enter the appearance of the judgment debtor with address set forth on page 1.
4. Set matter down for short calendar hearing.
5. Complete section VII below.
6. Send file-stamped copy of this form to judgment debtor and judgment creditor.
7. After hearing, send copy of any order entered to the financial institution.

Note Regarding Exemption For Wages And Alimony

The amount of wages and alimony that may be subject to levy or other withholding for payment of a judgment is the lesser of (1) twenty-five per cent of the individual's disposable earnings for that week, or (2) the amount by which the individual's disposable earnings for that week exceed forty times the higher of (A) the federal minimum hourly wage under Section 6(a)(1) of the Fair Labor Standards Act of 1938, U.S.C. tit. 29, Section 206(a)(1), or (B), the state minimum hourly wage under subsection (j) of Section 31-58, in effect at the time the earnings are payable.

C.G.S. 52-350a(4) defines "disposable earnings" as that part of the earnings of an individual remaining after the deduction from those earnings of amounts required to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums and federal tax levies.

Section V — Proper Officer Must Complete This Section

Name and title of proper officer	Date of service on financial institution	Telephone number
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Section VI — (To be completed by financial institution upon return of exemption claim form)

Date claim received	Date mailed to court	Name of financial institution	Telephone number
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Section VII — Notice To Judgment Debtor And Judgment Creditor

The assets in dispute are being held for (1) forty-five days from the date the exemption claim form was received by the financial institution designated on the front of this form or (2) until disposition is ordered by the court at a hearing to be held at short calendar on the date set forth below, whichever occurs earlier.

Date of hearing	Time of hearing	<input type="checkbox"/> a.m.	Courtroom
		<input type="checkbox"/> p.m.	

Signed (Assistant Clerk)	Date signed
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Order

The Court/Magistrate, having held a hearing to determine the issues raised by this claim, hereby orders that:

By the Court (Name of Judge/Family Support Magistrate/Magistrate)		<input type="checkbox"/> Judge	<input type="checkbox"/> FSM	<input type="checkbox"/> Magistrate
Signed (Judge/Family Support Magistrate/Magistrate/Assistant Clerk)	Date signed			



Instructions - Judgment Creditor or Attorney

1. Type or print legibly.
2. Complete the application section; prepare original and 2 copies.
3. Present original and all copies to clerk of court.

Instructions - Clerk

1. Check the file to ensure that the information provided on the application is correct.
2. Sign original execution.
3. Return original and 1 copy to applicant, retain a copy for file.

Address of court	<input type="checkbox"/> Judicial District	<input type="checkbox"/> Housing Session	<input type="checkbox"/> Geographical area number	Docket number
Name and mailing address of Judgment Creditor or Attorney (To be completed by Judgment Creditor)				
				
Name(s) and address(es) of Judgment Creditor(s)				
Name(s) and address(es) of Judgment Debtor(s)				
Date of judgment	1. Amount of judgment (Include, where applicable, prejudgment interest and attorney's fees)	2. Amount of costs	3. Amount of judgment, costs and fees (Add 1 and 2)	
4. Total amount paid (if any)	5. Total amount unpaid (Subtract 4 from 3)	6. Application fee for financial institution execution (If not waived by the court)		
7. Other court ordered postjudgment costs and fees		8. Total of items 5, 6 and 7	Check if applicable <input type="checkbox"/> Post judgment interest was ordered by the court	
Signed (Judgment Creditor or Attorney)		Date signed	Telephone number	

Financial Institution Execution

To Any Proper Officer,

Whereas on said Date of Judgment the above-named Judgment Creditor(s) recovered judgment against the above-named Judgment Debtor(s) before the above-named court for the amount of judgment, costs and fees stated above, as appears of record, whereof execution remains to be done. These are, therefore, **by authority of the State of Connecticut to command you:**

Make demand upon the main office of any financial institution having its main office within your county, or if such main office is not within your county and such financial institution has one or more branch offices within your county, upon an employee of such a branch office, such employee and such branch office having been designated by the financial institution in accordance with regulations adopted by the commissioner of banking, for payment to you of any debt due said Judgment Debtor(s), which sum shall not exceed the total unpaid judgment, costs and fees as stated above, plus post judgment interest as ordered by the court, if applicable, plus the application fee and other court ordered postjudgment costs and fees, and your own fees. Said sum shall be received by you and applied on this execution. After having made such demand you are directed to serve a true and attested copy hereof, with your doings thereon endorsed, with the financial institution officer upon whom such demand was made. You shall not serve more than one financial institution execution per judgment debtor at a time, including copies thereof. After service of an execution on one financial institution, you shall not serve the same execution or a copy thereof upon another financial institution until receiving confirmation from the preceding financial institution that the judgment debtor had insufficient funds at the preceding financial institution available for collection to satisfy the execution. If you do not receive within twenty-five days of the service of the demand a response from the financial institution that was served indicating whether or not the judgment debtor has funds at the financial institution available for collection, you may assume that sufficient funds are not available for collection and you may proceed to serve another financial institution in accordance with section 52-367a of the General Statutes.

Hereof fail not, and make due return of this writ with your doings thereon, according to law.

Signed (Assistant Clerk)	Date signed	
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For Court Use Only

Note: The provisions of section 52-367a, as amended from time to time, take precedence over these instructions.

Instructions To Financial Institution Upon Receipt Of A Financial Institution Execution When Judgment Debtor is Not A Natural Person

1. You must remove from the judgment debtor's account the amount of any debts due from you to the judgment debtor not exceeding the Total Amount Unpaid as appears on page 1 of this form, plus interest and the Application Fee for Financial Institution Execution and court ordered postjudgment costs or fees and the serving officer's fee.
2. Except as provided in #4 below, you must immediately pay to the serving officer the amount removed from the judgment debtor's account. Nothing herein shall be construed to affect any other rights or obligations of the financial institution with regard to the funds in the judgment debtor's account.
3. You must act on this execution according to section 42a-4-303 of the general statutes, before your midnight deadline.
4. If the deposit account is subject to a security interest of a secured party, other than you, pursuant to a control agreement between you and such secured party under article 9 of title 42a, and if any funds removed from the judgment debtor's account pursuant to subsection (c) of section 52-367a of the general statutes you shall forthwith mail a copy of the execution when received from the serving officer, postage prepaid, to the judgment debtor and to such other secured party at the last known address of such parties with respect to the affected accounts on your records. You shall hold the amount removed from the judgment debtor's account for twenty days from the date of the mailing to the judgment debtor and such other secured party, and during such period you shall not pay the serving officer. Such other secured party shall give notice of its prior perfected security interest in such deposit account, by delivering to the clerk of the court that issued the execution a written claim for determination of interests in property pursuant to section 52-365c and by delivering a copy of such claim to the financial institution upon which such execution is served.
5. If a written claim for determination of interests in property is made pursuant to subsection (e) of section 52-367a of the general statutes, you shall continue to hold the amount removed from the judgment debtor's account until a court order is received regarding disposition of the funds. If no written claim for determination of interests in property is made you shall, upon demand, forthwith pay the serving officer the amount removed from the judgment debtor's account, and the serving officer shall thereupon pay such sum, less such serving officer's fees, to the judgment creditor, except to the extent otherwise ordered by a court.

PETITION FOR EXAMINATION OF JUDGMENT DEBTOR AND NOTICE OF HEARING
 JD-CV-54 Rev. 3-05
 C.G.S. § 52-397

STATE OF CONNECTICUT
SUPERIOR COURT
 www.jud.ct.gov

COURT USE ONLY
QUIZ



INSTRUCTIONS TO JUDGMENT CREDITOR

1. Prepare and present original and two copies to the clerk for review and signature.
2. Attach completed "Subpoena" form JD-CL-43, if applicable.
3. Present original and one copy of signed petition to proper officer for service.
4. Make copy for your file.
5. Original petition must be returned to court after service at least six days prior to the court hearing.
6. Attend court hearing and be prepared to examine the judgment debtor on the debtor's property and the means of paying the judgment.

COURT USE ONLY
PEJD



TO: The Superior Court

DOCKET NO. _____

Judicial Housing Small Claims
 District Session G.A. No. _____ At _____ Area At _____
 ADDRESS OF COURT (No., street, town and zip code)

NAME(S) OF JUDGMENT CREDITOR(S)		ADDRESS(ES) (No., street, town, state and zip code)	
NAME OF JUDGMENT DEBTOR		ADDRESS (No., street, town, state and zip code)	
DATE OF JUDGMENT	AMOUNT OF DAMAGES AWARDED	AMOUNT OF COSTS AWARDED	TOTAL DAMAGES AND COSTS AWARDED
NAME AND ADDRESS OF JUDGMENT CREDITOR'S ATTORNEY (If applicable)			

PETITION FOR EXAMINATION OF JUDGMENT DEBTOR

A judgment was recovered against the above-named judgment debtor in the Superior Court on the date and for the amount of damages and costs indicated above. ("X" one or both)

- An execution was issued on this judgment which has been returned unsatisfied in whole or in part.
- Postjudgment interrogatories were served on the judgment debtor in accordance with the Connecticut General Statutes, but the judgment debtor has failed to respond within thirty days of the date of service.

The judgment creditor(s) requests that the judgment debtor be ordered to appear before the Superior Court where the judgment was entered, to be examined under oath concerning any property and means of paying this judgment.

SIGNED (Judgment creditor or attorney) _____ DATE SIGNED _____ TELEPHONE NO. _____

ORDER FOR EXAMINATION AND NOTICE OF HEARING

The Petition for Examination of Judgment Debtor having been presented to the court, **IT IS ORDERED THAT THE ABOVE-NAMED JUDGMENT DEBTOR APPEAR** before the Superior Court **AT THE COURT LOCATION SHOWN ABOVE**, to be examined under oath concerning the judgment debtor's property and means of paying the judgment described in the above Petition for Examination of Judgment Debtor **ON THE DATE AND TIME SET FOR THE HEARING SHOWN BELOW**.

COURT HEARING DATE AND TIME		
DATE OF HEARING	TIME OF HEARING	COURTROOM
_____	_____ . m.	_____

TO ANY PROPER OFFICER:

By authority of the State of Connecticut, you are commanded to give notice of the pendency of this Petition and to summon the judgment debtor to appear at the place, date, and time set for the examination by serving on said judgment debtor, as prescribed by law for the service of civil process, a true and attested copy of the foregoing Petition and of this order at **least twelve days** prior to the hearing date shown above.

Make service and return this Petition to the court at **least six days** prior to the hearing date shown above.

SIGNED (Judge/Clerk) _____ DATE SIGNED _____

Notes



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