

FACTS ABOUT THE CONNECTICUT JUDICIAL BRANCH COMPLEX LITIGATION DOCKET

■ WHAT IS THE COMPLEX LITIGATION DOCKET?

The Complex Litigation Docket has been established by the Chief Court Administrator to resolve some of the most challenging civil cases facing our courts today. Cases are considered for placement on the Complex Litigation Docket on the basis of their individual merit, in the exercise of sound discretion, on a non-formulaic basis. Generally, these cases involve multiple litigants, legally intricate issues or claims for damages that could total millions of dollars.

An individual calendar method of case management will be employed; that is, an individual judge will preside over all aspects of the litigation, including trial.

Judges assigned to the Complex Litigation Docket are fully supported by staff. They employ new technology and make use of enhanced court-annexed alternative dispute resolution programs, including the use of special masters.

■ WHAT ARE THE GOALS OF THE COMPLEX LITIGATION DOCKET?

The goals of the Complex Litigation Docket are four-fold:

- As complex litigation cases benefit from the individual calendar method of case management, increased efficiency will be achieved by expanding this method of case management to all matters assigned to the Complex Litigation Docket.
- To permit the development and use of suitable discovery, pleading and trial procedures designed to promote efficiencies, thereby saving the parties time and expense.
- To reduce the time period between filing and disposition for both complex and non-complex cases.
- To aid in the creation of a consistent body of law in the area of commercial transactions.

■ WHERE ARE THE COMPLEX LITIGATION DOCKETS LOCATED?

Complex Litigation Dockets are available in three locations: Hartford, Stamford and Waterbury.

■ WHO ARE THE JUDGES ASSIGNED TO THE COMPLEX LITIGATION DOCKETS?

The following judges are currently assigned to the Complex Litigation Dockets and have committed to remaining in the assignment for a minimum of three years:

Hartford Judicial District

Hon. Marshall K. Berger, Jr. Hon. Grant Miller

Hon. Robert B. Shapiro

Stamford Judicial District

Hon. Barbara Brazzel-Massaró Hon. John F. Blawie

Waterbury Judicial District

Hon. Salvatore C. Agati Hon. Kevin G. Dubay

Hon. Dan Shaban

■ HOW DOES A CASE GET REFERRED TO THE COMPLEX LITIGATION DOCKET?

A case will be considered for the Complex Litigation Docket if a judge, or any party, at any time in the proceedings, requests that the matter be designated as a complex litigation case. Parties requesting that a case be placed on the Complex Litigation Docket should file an *Application for Case Referral - Complex Litigation Docket (CLD)* form, JD-CV-39.

Pursuant to Connecticut General Statutes Sec. 52-259, there is a \$325.00 fee for each case requested. Forms are available in every Judicial District Clerk's Office or on the Judicial Branch website at:

<http://www.jud2.ct.gov/webforms>.

Any objection to the transfer of a case to the Complex Litigation Docket must be filed within 15 calendar days after the filing of the application. Attorneys not excluded from e-filing must select "Objection to Transfer to Complex Litigation" when naming the objection in e-filing. Attorneys excluded from e-filing and self-represented parties must file the objection with the Clerk in the judicial district in which the case is pending and must title it "Objection to Transfer to the Complex Litigation Docket."

The Chief Administrative Judge of the Civil Division has discretion to schedule a hearing to consider whether referral to the Complex Litigation Docket is appropriate.

■ **WHAT FACTORS WILL BE CONSIDERED IN DETERMINING ELIGIBILITY?**

The Chief Administrative Judge, Civil Division, or any other Superior Court Judge designated by the Chief Administrative Judge, Civil Division, will determine eligibility in any given case. Each case proposed for placement on the Complex Litigation Docket will be evaluated on its individual merits, taking into account the following factors:

- The number of parties
- The number of counsel
- The amount of the claim and the nature of the relief requested
- The anticipated length of trial
- The complexity of the issues presented for resolution
- The extent and complexity of pretrial proceedings, including discovery matters, motion practice, and special proceedings
- The overall need for the special oversight and management that the Complex Litigation Docket may provide
- Whether alternative case management approaches are available in the judicial district where the case has been brought

■ **WHAT TYPES OF CASES WILL BE CONSIDERED AS COMPLEX LITIGATION?**

While each case proposed for the Complex Litigation Docket will be evaluated on its individual merits, the following types of cases often have been found to be appropriate for assignment to the Complex Litigation Docket:

- Non-Commercial Class Action
- Environmental
- Mass Tort (i.e., airline, train, autobus, etc.)
- Prejudgment Remedy
- Medical Malpractice
- Product Liability
- Construction Contract
- Cases affecting the formation, governance, dissolution or transfer of control of business entities
- Uniform Commercial Code
- Securities
- Complex Contract
- Connecticut Unfair Trade Practices Act
- Intellectual Property
- Business Tort
- Commercial Class Action
- Any other case designated by the Chief Administrative Judge

■ **WHAT FACTORS WILL BE CONSIDERED WHEN ASSIGNING A CASE TO A PARTICULAR COMPLEX LITIGATION DOCKET LOCATION?**

Assignment of a case to a particular Complex Litigation Docket location will be based on the following factors, including but not limited to:

- Convenience to the litigants
- Availability of a judge or judges, and the
- Subject matter of the dispute and experience of the specific judge

■ **WHO SHOULD I DIRECT QUESTIONS TO?**

Please contact Rose Ann Rush at Court Operations at (203) 965-5288, with any questions concerning the Complex Litigation Docket.