Connecticut Judicial Branch

Law Libraries

2018 Edition

Oral Argument in Civil Matters

A Guide to Resources in the Law Library

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This guide links to advance release slip opinions on the Connecticut Judicial Branch website and to case law hosted on Google Scholar.
The online versions are for informational purposes only.

Table 1: Practice Book § 11-18

Procedure in Civil Matters

Connecticut Practice Book (2018)

§ 11-18 —Oral Argument of Motions in Civil Matters

(a) Oral argument is at the discretion of the judicial authority except as to motions to dismiss, motions to strike, motions for summary judgment, motions for judgment of foreclosure, and motions for judgment on the report of an attorney trial referee and/or hearing on any objections thereto.

For those motions, oral argument shall be a matter of right, provided:

(1) the motion has been marked ready in accordance with the procedure that appears on the short calendar on which the motion appears, or

(2) a nonmoving party files and serves on all other parties pursuant to Sections 10-12 through 10-17, with proof of service endorsed thereon, a written notice stating the party's intention to argue the motion or present testimony. Such a notice shall be filed on or before the third day before the date of the short calendar date and shall contain (A) the name of the party filing the motion and (B) the date of the short calendar on which the matter appears.

(b) As to any motion for which oral argument is of right and as to any other motion for which the judicial authority grants or, in its own discretion, requires argument or testimony, the date for argument or testimony shall be set by the judge to whom the motion is assigned.

(c) If a case has been designated for argument as of right or by the judicial authority but a date for argument or testimony has not been set within thirty days of the date the motion was marked ready, the movant may reclaim the motion.

(d) Failure to appear and present argument on the date set by the judicial authority shall constitute a waiver of the right to argue unless the judicial authority orders otherwise.

(e) Notwithstanding the above, all motions to withdraw appearance, except those under Section 3-9 (b), and any other motions designated by the chief court administrator in the civil short calendar standing order shall be set down for oral argument.

(f) For those motions for which oral argument is not a matter of right, oral argument may be requested in accordance with the procedure that is printed on the short calendar on which the motion appears.

(P.B. 1978-1997, Sec. 211.) (Amended June 28, 1999, to take effect Jan. 1, 2000; amended June 21, 2004, to take effect Jan. 1, 2005; amended June 29, 2007, to take effect Jan. 1, 2008; amended June 20, 2011, to take effect Jan. 1, 2012.)

Section 1: Intent to Argue (Arguable Matters)

A Guide to Resources in the Law Library

SCOPE:

- Bibliographic resources relating to oral argument of arguable matters, including related short calendar procedures.

DEFINITIONS:

- "Oral argument is at the discretion of the judicial authority except as to motions to dismiss, motions to strike, motions for summary judgment, motions for judgment of foreclosure, and motions for judgment on the report of an attorney trial referee and/or hearing on any objections thereto. For those motions, oral argument shall be a matter of right, provided…" Conn. Practice Book § 11-18(a) (2018).
- "[E]ven though Practice Book sec. 11-18 grants … oral argument as a matter of right, it is not automatic but must be claimed for argument as provided [by the rule]." Wasilewski v. Commissioner of Transportation, 152 Conn. App. 560, 569, 99 A.3d 1181 (2014).

COURT RULES:

- Connecticut Practice Book (2018)
  - § 11-18. Oral Argument of Motions in Civil Matters

Amendments to the Practice Book (Court Rules) are published in the Connecticut Law Journal and posted online.

STANDING ORDERS:

- Superior Court Standing Orders
  - *Civil Short Calendar Standing Order*
    - *Notice Regarding Arguable Civil Short Calendar Matters (2/28/09)*
  - *Family Short Calendar Standing Order*
  - *Short Calendar Notice for Foreclosure Matters*

E-FILING:

- Mark Short Calendar Matters (Instructions and Reference Guides)
- Quick Reference Guide: Short Calendar and the Marking Process

SHORT CALENDAR INFORMATION:

- Short Calendars (http://civilinquiry.jud.ct.gov/ShortCalMenu.aspx)
  - Short Calendar Notices

FORMS:

- JD-CL-6. Short Calendar List, Claim/Reclaim.
- 2 & 3A Joel M. Kaye & Wayne D. Effron, Connecticut Practice Series, *Connecticut Civil Practice Forms* (4th ed. 2004).
  - Form S-170 – Request for Oral Argument (See comments in pocket part.)
  - Form S-163 – Short calendar list claim/reclaim [*Retitled*] (See comments in pocket part.)

Official Judicial Branch forms are frequently updated. Please visit the Official Court Webforms page for the current forms.

- Form 106.1. Motion to dismiss (See comments in pocket part.)
- Form 106.2. Motion to strike (See comments in pocket part.)
- Form 106.15. Motion for summary judgment (See comments in pocket part.)

- Kimberly A. Peterson, *Civil Litigation: Connecticut, Massachusetts, New Jersey, New York, & Rhode Island* (1999).
  - Example 7-1. Connecticut, Notice of Intent to Argue, p. 147.

- Kimberly A. Peterson, *Civil Litigation in Connecticut: Anatomy of a Lawsuit* (1998).
  - *Chapter 8. Pleadings: an Overview*
    - Example 1, Notice of Intent to Argue, p. 86.

- 1 Ralph P. Dupont, *Dupont on Connecticut Civil Practice* (2017-2018 ed.).
  - Form 11-18. Notice of Intent to Argue.

CASES:

Once you have identified useful cases, it is important to update the cases before you rely on them. Updating case law means checking to see if the cases are still good law. You can contact your local law librarian to learn about the tools available to you to update cases.

- Wells Fargo Bank, N.A. v. Owen, 174 Conn. App. 102, 111, 165 A.3d 275, 280 (2017). "It is also notable that in the defendants' motion to open the judgment of strict foreclosure, the defendants' counsel only requested oral argument and specifically indicated that testimony was not required. See *USA Bank v. Schulz*, 143 Conn. App. 412, 419, 70 A.3d 164 (2013) ('the defendant has no basis for claiming an abuse of discretion by the trial court in denying him relief that he could readily have sought, had he wished to, at a time when he was represented by competent counsel'). Perhaps another judge might have ordered an evidentiary hearing under the circumstances; however, we are unwilling to conclude that the failure to do so was an abuse of discretion."

- Wasilewski v. Commissioner of Transportation, 152 Conn. App. 560, 569-570, 99 A.3d 1181 (2014). "'[E]ven though Practice Book § 11–18 grants ... oral argument as a matter of right, it is not automatic but must be claimed for argument as provided [by the rule].' (Internal quotation marks omitted.) *Curry v. Allan S. Goodman, Inc.,* 95 Conn.App. 147, 152, 895 A.2d 266 (2006). The plaintiff further argues that he could not claim the motion for oral argument as a matter of right because it was not scheduled for short calendar after he filed his objection to the motion to dismiss. We agree with the plaintiff that he was entitled to oral argument on the motion to dismiss as a matter of right under Practice Book § 11–18. We nonetheless deem the court's decision to grant the motion without hearing oral argument on it to be harmless error. 'In order to constitute reversible error ... the ruling must be both erroneous and harmful.... The burden of proving harmful error rests on the party asserting it ... and the ultimate question is whether the erroneous action would likely affect the result.' (Citations omitted.) *Manning v. Michael,* 188 Conn. 607, 611, 452 A.2d 1157 (1982). The plaintiff contends that he 'believes that the court would have benefitted in making its decision if it had

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heard oral argument on the [m]otion to [d]ismiss.' Given the extent of the patent deficiencies in the notice, however, and the plenary standard of review that we apply in this case, the court's failure to hold oral argument on the motion before granting it was harmless error."

- People's United Bank v. Bok, 143 Conn. App. 263, 267, n. 5, 70 A.3d 1074, 1077 (2013) "The plaintiff also argues that because the defendants failed to appear at the hearing on its motion for judgment, the defendants waived their right to challenge the default and judgment of strict foreclosure on appeal. While the defendants may have waived their right to argue their objection before the court by failing to appear at the hearing; see Practice Book § 11–18(d); to the extent that the plaintiff claims that the defendants abandoned the merits of their claim for purposes of appeal, we reject the plaintiff's argument."

- Cornelius v. Rosario, 138 Conn. App. 1, 20, 51 A. 3d 1144 (2012). "Section 11-18 sets forth the proper procedure for, inter alia, requesting oral argument or testimony with respect to various motions in civil matters. This section does not state or indicate that oral testimony is permitted or required on a motion for summary judgment; rather, it provides the procedure for requesting oral argument or testimony on motions on which either or both is appropriate."

- Town of Stratford v. Castater, 136 Conn. App. 535, 545, 46 A. 3d 953 (2012). "'Whether to allow counsel fees and in what amount calls for the exercise of judicial discretion.... Generally, when the exercise of the court's discretion depends on issues of fact which are disputed, due process requires that a trial-like hearing be held, in which an opportunity is provided to present evidence and to cross-examine adverse witnesses.' (Citation omitted; internal quotation marks omitted.) *Esposito* v. *Esposito*, 71 Conn. App. 744, 747, 804 A.2d 846 (2002)."

  "Here, the defendant requested a hearing on his motion for attorney's fees for the first time in his motion for reconsideration. In the motion for reconsideration, the defendant's counsel specifically stated that '[o]n Thursday, March 31, 2011, counsel marked the motion "take on the papers": no objection had been made.' It is well established that '[t]he knowledge and admissions of an attorney are imputed to his client.' *Lafayette Bank & Trust Co.* v. *Aetna Casualty & Surety Co.*, 177 Conn. 137, 140, 411 A.2d 937 (1979). Thus, even assuming that the defendant had a right to a hearing on his motion for attorney's fees, he waived that right when his counsel marked the motion for attorney's fees 'take on the papers'; the later request for a hearing on the motion for reconsideration, therefore, was ineffective." Id. at 545-546.

- Marut v. Indymac Bank, 132 Conn. App. 763, 771-772, 34 A.3d 439 (2012). "The plaintiff relies on Practice Book § 11-18 (a), which states that a motion for summary judgment is

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subject to oral argument as of right. The court, however, is not responsible for absenteeism in the courts by either the parties or their counsel. The court afforded the plaintiff the opportunity for oral argument on December 6, 2010, in accordance with Practice Book § 11-18 (a), but the plaintiff did not appear after his motion for a continuance was denied. As the court noted in its January 5, 2011 order, Practice Book § 11-18 (d) also provides in relevant part: 'Failure to appear and present argument on the date set by the judicial authority shall constitute a waiver of the right to argue unless the judicial authority orders otherwise.' Therefore, the court did not abuse its discretion in denying the motion to open."

- Curry v. Allan S. Goodman, Inc., 286 Conn. 390, 400, 944 A.2d 925 (2008). "The Appellate Court did not reach the merits of the appeal, but concluded that the trial court had abused its discretion in granting the defendant's motion for summary judgment solely on the basis of the defendant's pleadings and ignoring the parties' right to oral argument under Practice Book § 11-18. *Curry v. Allan S. Goodman, Inc., 95 Conn. App. 147, 152-53, 895 A.2d 266 (2006)*. It therefore reversed the judgment and remanded the case to the trial court with direction to hold a hearing and to allow oral argument on the defendant's motion for summary judgment."

- Vertex v. Waterbury, 278 Conn. 557, 568, 898 A.2d 178 (2006). "First, as noted previously herein, the trial court in its memorandum of decision acknowledged that no motion to strike or motion for summary judgment had been filed. The pretrial briefs that led to the dismissal of two counts of the complaint were filed on the trial judge's order and not at the initiative of either party. Second, the record does not demonstrate that the plaintiff knowingly waived the applicable procedures under the rules of practice for dispositive motions. . . .Finally, the record does not reveal that the plaintiff had a fair opportunity to respond to the potential dismissal of claims because it lacked notice that the trial court intended to use the parties' pretrial briefs to rule on the legal sufficiency of its claims."

- Haggerty v. Williams, 84 Conn. App. 675, 685, 855 A.2d 264 (2004). "The defendant's second argument fails because the defendant did in fact present oral argument to the court on her succeeding motion to open. Although the defendant argues that she should have been able to argue before Judge Celotto instead of Judge DeMayo, there is no such rule in Connecticut. The defendant had her day in court to argue her motion to open and, accordingly, that claim must fail."

- Bojila v. Shramko, 80 Conn. App. 508, 518, 758 A.2d 906 (2003). "The substitute plaintiff argues in his reply brief that oral argument was available as a matter of right without meeting the procedure set forth in Practice Book § 11-18(a). That simply is inaccurate."

- Davis v. Westport, 61 Conn. App. 834, 839-840, 767 A.2d 1237 (2001). "Therefore, we concluded that 'even if [Practice Book (1999) § 19-16] grants . . . oral argument as of right, it is not automatic but must be claimed for argument as provided in [Practice Book (1999) § 11-18]. . . .Aside from the plain meaning of the words of those sections, which do not grant oral argument as of right . . . judicial economy and practicality require a common sense reading of both sections.' Paulus v. LaSala, [56 Conn. App. 139, 146, 742 A.2d 379 (1999), cert. denied, 252 Conn. 928, 746 A.2d 789 (2000)]."

- Dietzel v. Redding, 60 Conn. App. 153, 166, 758 A.2d 906 (2000). "We note, parenthetically, that the Oppenheimers had requested oral argument on the motion to intervene. Pursuant to Practice Book § 11-18, however, oral argument is at the discretion of the trial court for that type of motion, and, therefore, the court was not obligated to provide them with an opportunity for oral argument."

WEST KEY NUMBERS:

- Trial # 12. Short-cause calendars.

TEXTS & TREATISES:

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- 1 Wesley W. Horton et al., Connecticut Practice Series, *Connecticut Superior Court Civil Rules* (2017-2018).
  - Chapter 11. Motions, requests, orders of notice
    - Authors' comments following § 11-18

- 18 Erin Carlson, Connecticut Practice Series, *Summary Judgment & Related Termination Motions* (2017).
  - § 3:39. Procedural considerations—Oral argument
  - § 3:95. Procedural considerations—Oral argument

- Margaret P. Mason, *LexisNexis Practice Guide: Connecticut Civil Pretrial Practice* (2017).
  - § 11.06[4][c] Not all motions are assigned for oral argument or hearing dates
  - § 11.06[5][e] Available markings
  - § 11.06[5][g] Motions listed as arguable
  - § 11.07[1][b] Motions for which oral argument is as of right
  - § 11.07[1][c] Date for hearing set by judge to whom motion is assigned
  - § 11.12[1] Oral argument is at court's discretion except for certain motions

- Kimberly A. Peterson, *Civil Litigation: Connecticut, Massachusetts, New Jersey, New York, & Rhode Island* (1999).
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         - D. Oral arguments as a right: Pbs 11-18
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- G. Deadline to file Notice of Intent to Argue
- H. Oral argument for other motions or objections

- Kimberly A. Peterson, *Civil Litigation in Connecticut: Anatomy of a Lawsuit* (1998).
  - Chapter 8. Pleadings: an Overview
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      - E. When opposing party wants oral argument

- 1 Ralph P. Dupont, *Dupont on Connecticut Civil Practice* (2017-2018 ed.).
  - Chapter 11. Motions, requests, [applications] orders of notice and short calendar
    - § 11-18.1 Requesting oral argument; testimony

Section 2: Request for Oral Argument (Non-Arguable Matters)

A Guide to Resources in the Law Library

SCOPE:

- Bibliographic resources relating to requests to argue motions for which oral argument is not a matter of right, including related short calendar procedures.

DEFINITIONS:

- "For those motions for which oral argument is not a matter of right, oral argument may be requested in accordance with the procedure that is printed on the short calendar on which the motion appears." Conn. Practice Book § 11-18(f) (2018).

COURT RULES:

Amendments to the Practice Book (Court Rules) are published in the Connecticut Law Journal and posted online.

- Connecticut Practice Book (2018)
  - § 11-18. Oral Argument of Motions in Civil Matters

FORMS:

Official Judicial Branch forms are frequently updated. Please visit the Official Court Webforms page for the current forms.

- JD-CV-128. Request For Argument, Non-Arguable Civil Short Calendar Matter
- JD-CL-6. Short Calendar List, Claim/Reclaim

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    - *Notice Regarding Arguable Civil Short Calendar Matters (2/28/09)*
  - *Family Short Calendar Standing Order*

CASES:

- Wells Fargo Bank, N.A. v. Henderson, 175 Conn. App. 474, 491, 167 A.3d 1065, 1075 (2017). "A decision on a motion for a continuance is reviewed for an abuse of discretion by the trial court, but the defendant makes no claim that this denial was an abuse of discretion; she claims only that she was denied an opportunity to present oral argument on this motion. The

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defendant has failed to provide any record of a request on her part for oral argument of her motion, and a motion for a continuance is not one of the civil motions that require oral argument pursuant to Practice Book § 11–18 (a). As a result, the court had the discretion to rule on her motion for a continuance without providing for oral argument."

"The defendant had no right to an evidentiary hearing on her motion to reargue, and the court had the discretion to deny it without a hearing. Practice Book § 11–12 (c) provides: 'The motion to reargue shall be considered by the judge who rendered the decision or order. Such judge shall decide, without a hearing, whether the motion to reargue should be granted. If the judge grants the motion, the judge shall schedule the matter for hearing on the relief requested.'" Id. at 492-493.

- D'Amato v. Hart-D'Amato, 169 Conn. App. 669, 675-676, 152 A. 3d 546 (2016). "Pursuant to Practice Book § 11–18(a), however, whether to hear oral argument on motions in civil matters is a matter within the discretion of the court, except in limited circumstances, not relevant here, in which argument is a matter of right. Section 11–18(a) provides in relevant part: 'Oral argument is at the discretion of the judicial authority except as to motions to dismiss, motions to strike, motions for summary judgment, motions for judgment of foreclosure, and motions for judgment on the report of an attorney trial referee and/or hearing on any objections thereto....' We review the claim of error in not hearing oral argument under an abuse of discretion standard. See *Brochard* v. *Brochard*, 165 Conn.App. 626, 638, 140 A.3d 254 (2016). It is clear, then, that the defendant was not entitled to oral argument as of right on her motion for a continuance, her 'motion to open and set aside judgment and for new trial,' her motion to reargue/reconsideration, and her motion for clarification. The trial court's decisions not to hold evidentiary hearings with respect to these motions were, by the rules of practice and case authority, within its discretion."

- Valenzisi v. Connecticut Educ. Ass'n, 150 Conn. App. 47, 50, n. 2, 90 A. 3d 324 (2014). "[T]he plaintiff suggests several times in his appellate brief that the court improperly failed to hold a hearing on the motion to open. A motion to open is not a motion for which oral argument is of right; Practice Book § 11–18(a); nor is there any indication in the record that the plaintiff requested oral argument."

- Marcus v. Cassara, 142 Conn. App. 352, 357, 66 A.3d 894 (2013). "It is unfair to the court to leave it with the impression that counsel is in agreement with the court's preference to decide the motion on the papers and then argue on appeal that the court abused its discretion by failing to schedule an evidentiary hearing. See *Stratford v. Castater*, 136 Conn. App. 535, 545-46, 46 A.3d 953 (2012). Accordingly, we decline to review the merits of the defendant's claim."

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- Town of Stratford v. Castater, 136 Conn. App. 535, 546, 46 A.3d 953 (2012). "The defendant cites no authority, nor are we aware of any, in support of his argument that the trial court was obligated to hold a hearing on the motion for reconsideration itself. '[A] motion to reargue ... is not to be used as an opportunity to have a second bite of the apple....' (Internal quotation marks omitted.) *Opoku* v. *Grant*, 63 Conn. App. 686, 692-93, 778 A.2d 981 (2001)."

- Haggerty v. Williams, 84 Conn. App. 675, 685, 855 A.2d 264 (2004). "The defendant's second argument fails because the defendant did in fact present oral argument to the court on her succeeding motion to open. Although the defendant argues that she should have been able to argue before Judge Celotto instead of Judge DeMayo, there is no such rule in Connecticut. The defendant had her day in court to argue her motion to open and, accordingly, that claim must fail."

- Dietzel v. Redding, 60 Conn. App. 153, 166, 758 A.2d 906 (2000). "We note, parenthetically, that the Oppenheimers had requested oral argument on the motion to intervene. Pursuant to Practice Book § 11-18, however, oral argument is at the discretion of the trial court for that type of motion, and, therefore, the court was not obligated to provide them with an opportunity for oral argument."

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- Margaret P. Mason, *LexisNexis Practice Guide: Connecticut Civil Pretrial Practice* (2017).
  - § 11.06[5][e] Available markings
  - § 11.07[1][c] Date for hearing set by judge to whom motion is assigned
  - § 11.12[1] Oral argument is at court's discretion except for certain motions
  - § 11.12[4] Party may request hearing

- Kimberly A. Peterson, *Civil Litigation: Connecticut, Massachusetts, New Jersey, New York, & Rhode Island* (1999).
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- 1 Ralph P. Dupont, *Dupont on Connecticut Civil Practice* (2017-2018).
  - Chapter 11. Motions, requests, [applications] orders of notice and short calendar
    - § 11-18.1 Requesting oral argument; testimony

Table 2: Unpublished Connecticut Decisions — Oral Argument

Unpublished Connecticut Decisions — Oral Argument	
Marking Motion "Ready" Versus "Take Papers"	Discover Bank v. Freedman, Superior Court, Judicial District of Litchfield at Litchfield, No. LLI-CV-12-6007025S (April 23, 2013) (2013 WL 1943887) (2013 Conn. Super. LEXIS 880). "Practice Book § 11–18(a)(1) provides that oral argument is a matter of right on a motion for summary judgment, provided that the motion was marked 'ready.' In the present case, the motion for summary judgment was marked 'take papers.' Therefore, no oral argument was conducted and this court's decision is based upon the arguments and evidence set forth in the motion for summary judgment." [Footnote 1]
Improperly Filed Motion	Richard Patterson et al. v. Mine Safety Appliances Company et al., Superior Court, Judicial District of Hartford, Complex Litigation Docket at Hartford, No. HHD-X04-CV-04-4034666-S (May 7, 2008) (45 Conn. L. Rptr. 462, 463) (2008 WL 2169400) (2008 Conn. Super. LEXIS 1141). "The plaintiffs' motion to strike is not addressed to a pleading. Accordingly, it is denied. Under these circumstances, where the plaintiffs improperly filed a motion to strike, they were not entitled to oral argument as of right. See Practice Book § 11-18(a)."
Nonappearance by Defense Counsel	Nadeau v. Tracy, Superior Court, Judicial District of New Haven at Meriden, No. CV 02-0282226S (Dec. 2, 2003) (2003 WL 22905182) (2003 Conn. Super. LEXIS 3242). "Pursuant to Practice Book § 11-18(d), the court treated nonappearance by defense counsel at the hearing as a waiver of the defendants' right to argue, heard argument from plaintiff, and then denied the motion to strike for the reason stated below."
Nonappearance by Both Counsel	Nair v. Belcher, Superior Court, Judicial District of Waterbury, No. CV 01 0163122 (Dec. 10, 2001) (2001 WL 1681964) (2001 Conn. Super. LEXIS 3556). "Further, in light of the failure of counsel for the plaintiff and counsel for the defendants (except for Leask) to appear for this matter on the date assigned, the court hereby enters a default against the defendants (except for Leask) and a nonsuit against the plaintiffs, neither of which may be opened except upon the filing of a proper motion explaining on oath the reason for the failure to appear for argument as ordered, along with any required fee. Such motion shall only be considered by the court upon attendance of the moving party at a scheduled oral argument, so claimed in a proper manner by the moving party." [*Decision corrected in Nair v. Belcher, Superior Court, Judicial District of Waterbury, No. CV 01-0163122 (Dec. 20, 2001) (2001 WL 1707078) (2001 Conn. Super. LEXIS 3594)*]

Notice of Intent to Argue Without Explanation of Why Argument Is Necessary (For Class of Motions Not as of Right)	Matos v. B-Right Trucking Co., Superior Court, Judicial District of Fairfield at Bridgeport, No. CV 94310065S (January 9, 1996) (15 Conn. L. Rptr. 650, 650) (1996 WL 38247) (1996 Conn. Super. LEXIS 86). "The motion to reargue is denied. Under Practice Book § 211(A) [now 11-18], as amended effective October 1, 1995, oral argument on such motions is within the discretion of the court. When the defendant filed its Notice of Intent to Argue, it did not explain why oral argument was necessary nor did it explain why the defendant should prevail. Section 211 was amended to facilitate the resolution of short calendar motions. Clearly, the two motions decided by the court were ones which could be decided without oral argument. Whenever a litigant files a motion of the class for which oral argument does not exist as of right, the opposing party must do something more than merely file a notice of intent to argue. Otherwise, the amendment to § 211 will have had no effect whatsoever."
Motion to Reargue	Faile v. Zarich, Superior Court, Judicial District of Hartford, Complex Litigation Docket at Hartford, No. HHD X04 CV-06-5015994 S (Sep. 10, 2009) (2009 WL 3285986) (2009 Conn. Super. LEXIS 2406). "As discussed above, the defendants base their motion to reargue on Practice Book § 11-12, not on Chapter 13. The standing order does not require this court to hold a hearing on the motion to reargue."
Motion to Open	Stanley v. Stanley, Superior Court, Judicial District of Tolland at Rockville, No. FA-09-4011831S (Dec. 29, 2010) (2010 WL 5644928) (2010 Conn. Super. LEXIS 3364). "Under Practice Book Section 11-18, there is no right to oral argument on motions to withdraw a complaint or on motions to open, and oral argument in civil matters is instead 'at the discretion of the judicial authority.'"
Applicable to Family Cases	Marshall v. Marshall, Superior Court, Judicial District of Stamford-Norwalk at Stamford, No. FST-FA-00-0176688-S (May 6, 2008) (45 Conn. L. Rptr. 440, 441) (2008 WL 2169011) (2008 Conn. Super. LEXIS 1155). "The plaintiff also asserts that she had the right to argument on the motion for protective order. She argues that because P. B. § 11-18 is not referenced in P.B. § 25-23 it does not apply to family matters and therefore plaintiff had a right to argument 'as of right.' P.B. § 25-23 lists certain civil practice book sections that are incorporated in the family rules. This court does not find that listing exclusive. If only those rules referenced in P.B. § 25-23 apply to family matters, then plaintiff's instant motion to reargue pursuant to P.B. § 11-12 would not be permitted and, hence, not be here ruled on."
Incarcerated Party	Tierinni v. Town of Manchester, Superior Court, Judicial District of New Haven at New Haven, No. NNHCV165037155S (July 3, 2017) (2017 WL 3332747) (2017 Conn. Super. LEXIS 3889). "At the plaintiff's request, he participated in the oral argument via video teleconferencing due to his status as an incarcerated inmate."