

## **E-Services Procedures and Technical Standards**

### **I. General Provisions**

- A. **Scope/Authority** – These revised E-Services Procedures and Technical Standards have been issued by the Honorable Patrick L. Carroll III Chief Court Administrator under the authority of Section 4-4 of the Connecticut Practice Book, to become effective on **December 15, 2014**. They apply to all electronic services offered by the Judicial Branch. Specific procedures that apply to facsimile filing, e-filing, short calendar markings, small claims, and electronic citations (eCitations) are set forth in subsequent sections of these procedures and technical standards.

### **B. Technical/System Requirements and Security –**

1. The hardware and software requirements for participation in E-Services are as follows:
  - a. A personal computer with a 128-bit encryption version of Microsoft Internet Explorer® 9 or higher, or Firefox 25.0 or higher. To access the secure areas of our website, such as the electronic services section, your browser **must** support 128-bit encryption and Secure Sockets Layer (SSL) version 2.0 protocol.
  - b. Internet access (DSL or high speed Internet access is suggested for Civil/Family e-filing); and
  - c. If you are using Adobe Acrobat® for PDF document creation, it is recommended that you use Adobe Acrobat® 9.0 through 11.0; and if you are using Adobe Acrobat® Reader® for viewing documents, it is recommended that you use Adobe Acrobat® Reader® 9.0 or higher.
  - d. Access to a scanner to image non-computerized documents such as medical records or documents that require an image of the pen-to-paper signature such as returns of service and affidavits.
2. It is the responsibility of the users to review the [Minimum Browser Requirements](#) for Electronic Services to determine if their browser is compatible with the Judicial Branch's security requirements and to access links allowing users, without costs, to upgrade their browsers or download a high-security browser.
3. The Judicial Branch has adopted encrypted security and firewall protective measures to safeguard information transmitted through electronic transactions from loss, misuse, or alteration from outside influences. The use of security software and a security certificate on the Branch's web site establishes a direct Secure Sockets Layer (SSL) connection between the user's computer and the Electronic Services section of the Branch's web site. This connection automatically encrypts the transaction and prevents others from viewing the transaction.

**Note: Microsoft Internet Explorer® is a trademark of Microsoft Corporation, and Adobe Acrobat® Reader ® and Adobe Acrobat® are trademarks of Adobe Systems Incorporated.**

**C. Enrollment and Passwords –**

1. Attorneys registered with the Statewide Grievance Committee and law firms which have obtained a law firm juris number must [enroll](#) and obtain a secure password that will enable them to access and complete transactions electronically with the Court. In order to ensure an attorney/law firm's authentication as the valid user of a juris number, upon enrollment in E-Services, an initial password will be issued and mailed to the enrolling attorney at the office address that is registered with the Statewide Grievance Committee and to the enrolling law firm at the address of record with its law firm juris number.

Attorneys permitted to appear pro hac vice cannot enroll in E-Services, file electronically or mark short calendar matters electronically.

Attorneys registered with the Statewide Grievance Committee and law firms which have obtained a law firm juris number may designate authorized individuals to file case initiation documents on their behalf. A designated filer will have a UserID and password for use in accessing E-Services to maintain the designated filer's account and to file case initiation documents electronically with the Court on behalf of the attorney or law firm.

2. Self-Represented Parties must [enroll](#) in E-Services and choose a user ID and secure password that will allow them to access and complete transactions electronically with the Court. To make sure that a self-represented party is the valid user of the User ID, an email will be sent to the user at the email address given by the self-represented party when he or she enrolled. That email will contain a link to a secure page where the user will verify the account information and activate the account.
  - a. For filing electronically in small claims matters, Self-Represented Parties must have enrolled in E-Services and activated their account.
  - b. For filing electronically in Superior Court matters, Self-Represented Parties must:
    - (1) Enroll in E-Services and activate their account
    - (2) Request and be approved for electronic access by the clerk in any case that they did not initiate electronically.

**Note: Use of the electronic filing system is limited to (1) enrolled attorneys and law firms and the employees of the law office under the supervision of an enrolled attorney; (2) individuals designated by attorneys and law firms to file case initiation documents on their behalf; and (3) enrolled self-represented parties who have activated their account and, as required, been approved for electronic access to a case.**

It is the responsibility of the attorneys, law firms, and self-represented parties to protect passwords and security information from any unauthorized use. Any electronic transactions transmitted shall be presumed to have been authorized by the attorney, law firm or self-represented party whose user ID or juris number and password were used to conduct the electronic transaction on the Judicial Branch web site. Any electronic transactions conducted by a designated filer shall be presumed to have been authorized by the attorney and/or law firm whose juris number was used together with the password of the designated filer to log in to E-Services to conduct the electronic transaction.

If any E-Services system users believe that their security information and password have been compromised or are being used by unauthorized individuals, the user must immediately contact the Judicial Branch IT Division HelpDesk at (860)-282-6555 or at [HelpDesk@jud.ct.gov](mailto:HelpDesk@jud.ct.gov).

The Office of the Chief Court Administrator reserves the right to suspend any password and terminate the access of any user who, in the opinion of the Branch, misuses any electronic services.

- D. **Obtaining an Exclusion** – Attorneys and law firms can apply for an exclusion from electronic services requirements by completing the Request for Exclusion from Electronic Services Requirements form ([JD-CL-92](#)). The form shall be submitted to the E-Services Exclusion Requests, Superior Court Operations, 90 Washington Street, 3<sup>rd</sup> Floor, Hartford, CT 06106 for processing. Each exclusion request shall be ruled on by the Chief Court Administrator or the Chief Court Administrator's designee.

E. **Signatures** –

1. The following applies to documents filed by attorneys, designated filers, and self-represented parties:
  - a. A document that is submitted electronically through the e-filing system or that is submitted electronically through facsimile must be signed by the attorney submitting the document as follows:
    - (1) For any document electronically filed in the e-filing system, entry in the e-filing system of the individual juris number of the attorney who electronically filed the document will constitute the signature of the attorney for the purposes of Section 4-2, Section 10-14 and Section 24-8 of the Practice Book.
    - (2) For any document that is filed by facsimile, the attorney must include the individual juris number, typed name, a facsimile of an actual signature, or a pen-to-paper signature on the signature lines of the document before faxing the document to court. The placement, on the signature lines, of the individual juris number, typed name, facsimile of an actual signature, or pen-to-paper signature will constitute the signature of that

attorney for the purposes of both Section 4-2 and Section 10-14 of the Practice Book.

- b. Any document electronically filed by a designated filer on behalf of an attorney or law firm as part of the return of case initiation documents must contain the individual juris number and typed name of the attorney, and must be signed and fully executed in writing before the conversion of the documents to an electronic image and the electronic filing of the documents.
  - c. A document that is submitted by a self-represented party electronically through the e-filing system or that is submitted electronically through facsimile must be signed by the self-represented party as follows:
    - (1) For any document electronically filed with the Superior Court through the e-filing system, entry in the e-filing system of the User ID of the self-represented party who electronically filed the document will constitute the signature of the self-represented party for the purposes of Section 4-2 and Section 10-14.
    - (2) Case initiation documents and any other document requiring oath or affirmation filed with the small claims court through small claims e-filing must be signed and fully executed in writing with a pen-to-paper signature on the signature lines of the document before the documents are electronically filed. The placement on the signatures lines of the pen-to-paper signature shall constitute the signature of the self-represented party.
    - (3) For all other documents electronically filed with the small claims court through small claims e-filing, entry in the small claims e-filing system of the User ID of the self-represented party who electronically filed the document will constitute the signature of the self-represented party.
    - (4) For any document that is filed by facsimile, the self-represented party must sign with a pen-to-paper signature on the signature lines of the document prior to filing with the court. The placement on the signature lines of the pen-to-paper signature shall constitute the signature of the self-represented party for the purposes of both Section 4-2 and Section 10-14 of the Practice Book.
  - d. Documents signed in accordance with this section will have the same validity and status as a paper document that was signed or verified by the attorney, designated filer or self-represented party,
2. The following applies to documents issued by the Superior Court or by a judge, judge trial referee or family support magistrate of the Superior Court,

or by a magistrate appointed under section 51-193/ of the Connecticut General Statutes, or to any notice, order, decision, execution, process or other document issued by a chief clerk, deputy chief clerk, clerk, deputy clerk, assistant clerk, temporary assistant clerk, casflow coordinator, administrative clerk, clerical assistant or administrative assistant of the Superior Court under sections 51-52, 51-52a or any other section that authorizes the issuance of documents by a chief clerk, deputy chief clerk, clerk, deputy clerk, assistant clerk, temporary assistant clerk, casflow coordinator, administrative clerk, clerical assistant or administrative assistant, or by a support enforcement officer under subsection (s) of section 46b-231 or any other section that authorizes the issuance of documents by a support enforcement officer.

- a. A document issued by the Superior Court or by a judge, judge trial referee or family support magistrate of the Superior Court, or by a magistrate appointed under section 51-193/, including any notice, order, judgment, decision, decree, memorandum, ruling, opinion, mittimus or similar document, may be signed or verified by the electronic entry of the juris number of the signing authority on the signature line of the notice, order, judgment, decision, decree, memorandum, ruling, opinion, mittimus or similar document and the electronic entry of the name of the signing authority on the document.
- b. A document, including any notice, order, decision, execution, process or other document, issued by a chief clerk, deputy chief clerk, clerk, deputy clerk, assistant clerk, temporary assistant clerk, casflow coordinator, administrative clerk, clerical assistant or administrative assistant of the Superior Court under sections 51-52, 51-52a or any other section that authorizes the issuance of documents by a chief clerk, deputy chief clerk, clerk, deputy clerk, assistant clerk, temporary assistant clerk, casflow coordinator, administrative clerk, clerical assistant or administrative assistant, or by a support enforcement officer under subsection (s) of section 46b-231 or any other section that authorizes the issuance of documents by a support enforcement officer may be signed or verified by the electronic entry of a "By the Clerk" juris number or a "By the Support Enforcement Officer" juris number on the signature line of the notice, order, decision, execution, process or other document, and the electronic entry of the name of the person logged in to the computer, which cannot be changed by the user of the computer, and must be the name of the signer of the document. No transactions can be processed by a user under another person's name.
- c. Documents signed in accordance with this section will have the same validity and status as a paper document that was signed or verified by the Superior Court or by a judge, judge trial referee or family support magistrate of the Superior Court, a magistrate appointed under section 51-193/, a chief clerk, deputy chief clerk, clerk, deputy clerk, assistant clerk, temporary assistant clerk,

caseflow coordinator, administrative clerk, clerical assistant or administrative assistant, or support enforcement officer.

3. The following applies to documents submitted electronically through the e-filing system by an authorized Court Support Services Division Family Services employee.
  - a. A document prepared by an authorized Court Support Services Division Family Services employee must be signed by the authorized employee in accordance with the procedures promulgated by the Court Support Services Division.
  - b. The User ID of the employee filing the document after logging in to the e-filing system with the User ID and password shall be entered in the system at the time the document is filed.
  - c. Documents submitted in accordance with this subsection will have the same validity and status as a paper document that was signed or verified by the Court Support Services Division Family Services employee.
4. A document that has been prepared and signed electronically by a law enforcement officer or agency or that has been prepared electronically by a law enforcement agency and that has been signed electronically by a person other than a law enforcement officer and that is filed in paper format must be signed electronically in accordance with the **Law Enforcement Electronic Signature Procedures and Technical Standards**.

**Note: Requirements regarding the filing of affidavits and other documents requiring an oath or affirmation as well as certain other documents are discussed in the sections on Electronic Filing (e-filing), Small Claims e-filing and Facsimile Filing that follow.**

**F. Payment –**

1. Attorneys, law firms or designated filers - Payment of court fees and any applicable service fees by credit card or by electronic check must be made at the time of filing. Filers are required, as part of the payment process, to certify that, by entering the bank account and routing number or by entering the credit card account information and submitting the payment, they are authorized to permit the Connecticut Judicial Branch to debit or charge the account for the amount(s) indicated.
2. Self-represented Parties – Payment of court fees and any applicable service fees can be made only by credit card. Any payment must be made at the time of filing. Filers are required, as part of the payment process, to certify that, by entering the credit card account information and submitting the payment, they are authorized to permit the Connecticut Judicial Branch to charge the account for the amount(s) indicated.

- G. **Official file** – For all e-filable cases with a return date of December 31, 2009 and earlier, the paper file is the official file.
1. For all e-filable cases with a return date on or after January 1, 2010, the electronic file is the official court file. The electronic image that resides in the court's electronic filing database, whether filed electronically or filed in paper format and scanned into an electronic image and placed in the electronic file by the clerk, will be deemed to be the original.
  2. For all small claims cases, the paper file is the official file.

- H. **System Availability** - In general, **electronic services are available from 7:00 AM through 3:30 AM**. The hours between 3:30 AM and 7:00 AM are used for system maintenance and updating. The system may also be offline on the fourth Saturday of the month between 7:00 AM and 3:00 PM for routine system maintenance. If the system requires a scheduled outage, the Judicial Branch will make every effort to issue a prior announcement on the Branch's web site. In the event of an outage, it is the Branch's business continuity policy that parties, attorneys, and law firms conduct business with the courts in accordance with the Connecticut Practice Book or other court orders.

In accordance with Connecticut Practice Book section 7-17, if a party is unable to electronically file a document because the court's electronic filing system is non-operational for 30 consecutive minutes from 9 o'clock in the morning to 3 o'clock in the afternoon or for any period of time from 3 o'clock to 5 o'clock in the afternoon of the day on which the electronic filing is attempted, and such day is the last day for filing the document, the document shall be deemed to be timely filed if received by the clerk's office on the next business day the electronic system is operational.

A document that is electronically received by the clerk's office for filing after 5:00 PM on a day on which the clerk's office is open or that is electronically received by the clerk's office for filing at any time on a day on which the clerk's office is closed shall be deemed filed on the next business day on which such office is open. (See also Section II.F. of these Procedures and Technical Standards.)

The hours for submitting short calendar markings online are governed by the [Civil](#) or [Family](#) Short Calendar Standing Order.

- I. **Retention and Destruction of Files and Records** – The provisions of Practice Book Sections 7-10 through 7-16 concerning the retention and destruction of court files are applicable to electronic files and records.
- J. **Modifications to standards and procedures** – The Judicial Branch reserves the right to add to, modify, or delete any section of these procedures and technical standards, including but not limited to the electronic transactions, at any time without notice. Additionally, these procedures and technical standards will be updated as necessary to incorporate any changes or additions to the available electronic services. It is, therefore, suggested that attorneys and law firms review these procedures and technical standards periodically. Accessing

electronic services after any additions, modifications, or deletions have been made will constitute the acceptance of such changes on the part of the user.

- K. **Privacy Policy** – The Judicial Branch has posted a [PRIVACY POLICY](#) which should be reviewed.
- L. **Proprietary Rights** – The State of Connecticut Judicial Branch web site is owned and operated by the Branch. All contents of the site, including but not limited to intellectual property, text, graphics, and other images, are the property of the Branch and are protected by U.S. copyright laws.

## II. **Electronic Filing (e-filing) – Civil and Family Matters, except small claims actions**

- A. **Scope** – The following procedures are established by the Office of the Chief Court Administrator for the filing of motions, pleadings, or other documents by electronic means through the e-filing system under Section 4-4 of the Connecticut Practice Book. These procedures apply to all **case types** that are established as e-filable by the Judicial Branch.

There is a separate procedure for the e-filing of small claims actions. See Section III for specific information on electronic filing of small claims actions.

### **B. Mandatory Electronic Filing and Exceptions** – It is mandatory for attorneys and law firms without an exclusion from electronic services requirements to file electronically all cases, motions, pleadings and documents except those listed in the following subsections for:

- all existing and newly initiated e-filable civil case types; and
- newly-initiated e-filable family case types returned to court on or after December 15, 2014. E-filable family case types are: dissolution of marriage (F00), legal separation (F10), annulment (F20) and civil union – dissolution, legal separation and annulment (F50).

The exceptions are:

1. The following cases cannot be initiated electronically, but subsequent motions, pleadings or documents are required to be filed electronically:
  - a. Cases that include a prejudgment remedy except for a prejudgment remedy based upon a **commercial waiver**;
  - b. Transfers from small claims;
  - c. Application for Proceeds from a Tax Sale;
  - d. Eminent domain cases (including state highway condemnation and redevelopment condemnation); and
  - e. Any case for which a fee waiver has been granted.
2. Cases that are commenced by private individuals on behalf of the State of Connecticut under the Connecticut False Claims Act as amended by Public Act 14-217 – Sec. 1 – 18 cannot be initiated electronically but motions,



pleadings or documents filed subsequent to the statutorily required sealing period are required to be filed electronically in these cases.

3. The following civil cases cannot be initiated electronically, and subsequent motions, pleadings or documents cannot be filed electronically:
  - a. Asset forfeitures;
  - b. Firearm Safety Hearings (C.G.S. §29-38c)
  - c. Foreign civil judgments (C.G.S. §§ 52-604, 52-605);
  - d. Foreign protective orders;
  - e. Habeas cases;
  - f. Lottery Assignment cases;
  - g. Summary Process and Housing civil matters; and
  - h. Vehicle forfeitures (pursuant to C.G.S. 22a-250 and 250a).
4. The following family cases cannot be initiated electronically, and subsequent motions, pleadings or documents cannot be filed electronically:
  - a. Change of name - C.G.S. 52-11
  - b. Custody Application – C.G.S. 46b-61
  - c. Relief from Physical Abuse – C.G.S. 46b-15
  - d. Foreign Matrimonial/Foreign Paternity Judgments – C.G.S. 46b-70 & C.G.S. 46b-179
  - e. Visitation Application – C.G.S. 46b-61
  - f. Uniform Child Custody Jurisdiction and Enforcement Act – C.G.S. 46b-115
  - g. Paternity Petition – C.G.S. 46b-160
  - h. Support Petition – C.G.S. 46b-215
  - i. Agreement to Support – C.G.S. 46b-215
  - j. All other – C.G.S. 46b-1
5. The following documents **cannot** be filed electronically and must be filed in paper format:
  - a. Any document for which a fee waiver has been granted
  - b. Appearance by a non-party
  - c. Appearance limited to specific event or proceeding (Practice Book Section 3-8 (b))
  - d. Any documents filed by a non-party
  - e. Any documents associated with a restraining order
  - f. Appearance by an attorney admitted pro hac vice
  - g. Application for Ex Parte Orders
  - h. Application for Order of Notice (pre-service)
  - i. Application for Prejudgment Remedy (at case initiation or during a case)
  - j. Appraisal Report of the disinterested appraiser (if filed by the appraiser with the court)
  - k. Case Input Record Non IV-D Income Withholding (JD-FM-150)
  - l. Certificate of Judgment – Foreclosure by Sale (JD-CV-46)
  - m. Certificate of Judgment – Strict Foreclosure (JD-CV-47)
  - n. Committee Deed (original deed)
  - o. Dissolution of Marriage Report (JD-FM-181)

- p. Ex Parte Application for Permission to Use Pseudonyms
- q. Foreclosure Return of Sale – *with proceeds*
- r. Income Withholding Order for Support (JD-FM-1)
- s. Letters of No Interest
- t. Lodged Records (pursuant to Practice Book Sections 7-4B and 7-4C)
- u. Motion for Pre-Return Date Hearing (Sec. 46b-64)
- v. Motion for Protective Order (on behalf of non-appearing witness)
- w. Motion to Appear Amicus Curiae
- x. Motion to be Made a Party (defendant or plaintiff)
- y. Motion to Close a Courtroom Proceeding
- z. Motion to Consolidate (filed by a non-party)
- aa. Motion to Intervene
- bb. Motion to Open in cases that may have been destroyed or stripped under Practice Book Sections 7-10 or 7-11
- cc. Motion/Application for Permission to Use Pseudonyms
- dd. Motion to Quash (on behalf of non-appearing witness)
- ee. Motion to Substitute Party/Executor (if filed by a non-party)
- ff. Offer of judgment
- gg. Petition for Automatic Ninety-day Extension of Statute of Limitations (C.G.S. 52-190a (b))
- hh. Request For Nondisclosure Of Location Information (JD-FM-188)
- ii. Sealed Documents (any document that is sealed, for which sealing is requested, or documents filed during the statutorily required sealing period in actions commenced under C.G.S. 17b-301d)
- jj. Small claims documents other than those filed for case initiation and executions; and
- kk. Writ of Error.

When filing any document, the filer must include in the additional description field in the e-filing system the entry number (s) of any other documents relevant to the document being filed. For example, if filing an objection, the filer should include the entry number from the case detail screen for the motion or request to which the objection is addressed. When filing a Motion for Continuance, include the name and the date of the event for which you are seeking a continuance.

**Note: It is the responsibility of each attorney or self-represented party who files a document electronically or in paper format to omit from the filing any confidential or otherwise privileged information unless the inclusion of such information is required by law, requested on a Judicial Branch form, or otherwise ordered by the Judicial Authority.**

- C. **Document destruction and retention by the Clerk** - Any document that is filed with the clerk in paper format (including faxed documents) after December 5, 2009 will be scanned by the clerk into an electronic image, and placed in the electronic file. Except for bonds, any original paper document will be destroyed unless the filer includes with the paper document at the time of filing a self-addressed, postage prepaid, return envelope. Bonds submitted in paper format will be scanned by the clerk into an electronic image and retained during the pendency of the case and any applicable appeal period. Fee waiver applications submitted in paper format will be scanned by the clerk into an electronic image and will be maintained in the e-filing system as viewable remotely by all counsel

of record, and as viewable in court locations by self-represented parties, non-appearing parties, and the public.

- D. All documents filed in paper format prior to December 5, 2009 in cases with a return date of December 31, 2009 or earlier shall be retained in that format as part of the court file and any provision of these procedures to the contrary shall not be applied.

**E. Filing Specific Types of Documents and Document Retention by the Filer –**

The requirements in these E-Services Procedures and Technical Standards regarding when a paper document that has been electronically filed must be retained by the filer do not supersede or alter any other law, court order or policy requiring the filer to keep the paper document.

**1. Case Initiation Documents**

- a. After the service of a signed writ of summons and complaint, an attorney shall electronically file a true copy of such documents and the return of service with the clerk. For all cases initiated with a return date of December 31, 2009 and earlier, the filer shall retain the signed original paper documents throughout the pendency of the action, any appeal period, and any applicable appellate process. For cases initiated with a return date of January 1, 2010 and in the future, the signed original paper documents are not required to be retained by the filer.
  - b. If the case initiation documents are filed by a designated filer authorized under Sec. I. C. of the Procedures and Technical Standards, the original signed writ of summons and complaint must be scanned into an electronic image and filed electronically with the clerk. For all cases initiated with a return date of December 31, 2009 and earlier, the attorney shall retain the signed original paper documents throughout the pendency of the action, any appeal period, and any applicable appellate process. For cases initiated with a return date of January 1, 2010 and in the future, the signed original paper documents are not required to be retained by the filer.
- 2. Return of Record – The Return of Record in an administrative appeal may be filed on paper at the option of the filer until further notice.
  - 3. Documents requiring oath/affirmation or returns of service – Returns of service and documents that require an oath or affirmation must be signed and fully executed in writing, and then scanned into an electronic image and filed electronically with the clerk. For all cases initiated with a return date of December 31, 2009 and earlier, the filing party shall retain the original paper documents throughout the pendency of the action, any appeal period, and any applicable appellate process. For cases initiated with a return date of January 1, 2010 and in the future, with the exception of a bond filed in any action, the signed original paper documents are not required to be retained by the filer.

4. Documents requiring signatures of multiple parties - Agreements, judgment files in family cases, or any other documents that require signatures from a party other than the filer or from multiple parties must be signed and fully executed in writing, and then scanned into an electronic image and filed electronically with the clerk.
  5. Documents that have been redacted – If a document has been redacted, the filer must keep the original unredacted document throughout the pendency of the action, any appeal period, and any applicable appellate process under Section 4-7 (b) of the Connecticut Practice Book.
- F. Filing Date/Confirmation of Filing** – An electronically transmitted document shall be deemed filed when it is received by the clerk's office during the normal hours of operation of the office. A document that is received outside of the normal business hours, including a day on which the clerk's office is closed, shall be deemed filed on the next business day upon which such office is open. The time that a document is submitted and the time that such document is filed shall be recorded in the electronic filing database and shall be directly associated with the specific document. Confirmation of the date and time of an electronic transaction and of the filing date of the document filed electronically shall be transmitted electronically to the filer. It is recommended that the filer of the document print out or electronically copy and retain such confirmation throughout the pendency of the action, any appeal period, and any applicable appellate process.
- G. Corrective Measures in E-Filing** - Clerk's office staff have the ability to perform either document substitution on attorney e-filed documents or repair on clerk scanned documents; move documents on clerk scanned documents; or conform data entry to the summons in electronically filed case initiations. The specific procedures are as follows.
1. Substitution - Where a technical problem (i.e. readability and/or legibility errors) exists with a document e-filed by an attorney, the attorney may seek a substitution of the document by way of a written Motion to Substitute. The "Proposed Document for Substitution" must be appended to a Motion to Substitute. The motion will be taken on the papers, but it will print on a calendar to allow other parties an opportunity to object to the granting of the motion.  
  
If the Motion to Substitute is granted, the "Proposed Document for Substitution" will replace the document that was unreadable or illegible. The clerk will certify the substituted document in accordance with Practice Book Section 7-8. The e-filing system will retain as viewable the originally-filed document for those who have access to the electronic file and a notice of the substitution will be provided to all appearing parties by means of a judicial notice. The originally-filed document is not available for reclaim or ruling.
  2. Repair - Where a document originally scanned by court staff fails to reflect the original paper document, clerks may "repair" that document so that the scanned image accurately reflects the original paper document. When such a document is brought to the attention of the clerk, the clerk will obtain a court

order allowing for the repair and then the clerk will repair the document. The e-filing system will retain the original document as viewable for those who have access to the electronic file, and notice of the repair will be provided to all appearing parties by means of a judicial notice. The original document is not available for reclaim or ruling.

3. **Move Document** - When a document originally scanned by court staff is misfiled in the wrong file, clerks can "move" the document. When the misfiling of a document by court staff is brought to the attention of the clerk, the clerk will obtain a court order allowing the moving of the document to the correct file. Upon receipt of the court order, the clerk will file the document in the correct file.

In the original incorrect case, the misfiled document will remain viewable and a note will be displayed with the docket number of the correct case to which the document was moved and the entry number of the document in the correct case. The clerk will provide a notice of the move to all appearing parties in the original incorrect case and in the correct case by means of a judicial notice.

The following documents cannot be moved: Documents that are system-populated Judicial Branch forms, documents that are sealed, documents that are in the process of being repaired, and documents that have been substituted.

4. **Conform Data Entry** - When a filer electronically files case initiation documents with the court and the case type, return date, and/or name(s) of plaintiff(s) and/or defendant(s) entered into the system do not conform to the information contained in the summons served on the defendant(s) and submitted electronically to the court, the filer may seek the correction of specific data by means of a Request to Conform Case Initiation Data Entry Information to Summons (form JD-CL-096). The Request to Conform Case Initiation Data Entry Information to Summons must be filed by the attorney and served on all parties to the action in accordance with Sec. 10-13 et seq. of the Practice Book. Such request will be acted on by the clerk. Any objection to the request must be filed within ten (10) days of the filing of the request.

- H. **Failure to comply with standards and procedures** – If any document is filed on paper instead of electronically as set forth in this section, the clerk shall not file the document and shall write "Not Accepted" across the file stamp on the document. The clerk shall return the document to the sender with a notice as to why it was not filed.

### III. **Electronic filing (e-filing) Small Claims Actions -**

- A. **Scope** –The following procedures are established by the Office of the Chief Court Administrator for the filing of documents in small claims actions by electronic means through the e-filing system under Section 4-4 and Section 24-3 of the Connecticut Practice Book. These procedures apply to all small claims actions that are established as e-filable by the Judicial Branch.

For information on electronic filing in civil matters, see Section II, above.

- B. Attorneys and Law Firms** – Unless an exclusion from electronic filing has been granted, attorneys and law firms are required to e-file the following documents in small claims actions:
1. Case initiation documents - Case initiation documents are the *Small Claims Writ and Notice of Suit*, [JD-CV-40, Rev. 8-11](#), any related documents such as affidavits, and the *Statement of Service*, [JD-CV-123, New 1-11](#). The filer will enter the information needed to create a small claims case record and scan the case initiation documents into an electronic image and file them electronically with the clerk.
  2. Applications for Execution and related documents – Effective October 1, 2013, the following documents must be e-filed: Application for Wage Execution (JD CV 3); Application for Execution - Financial Institution – Debtor is not a natural person (JD CV 24N); Application for Execution Financial Institution – Debtor is a Natural Person (JD CV 24); Application for Execution - Property (JD CV 5); Execution Re-filed as Corrected – No Fee; Execution Returned (partially satisfied, satisfied and/or unsatisfied) and Affidavit of Lost Execution.
- C. Self-represented Parties** - Self-represented parties enrolled in E-Services are permitted to e-file:
1. Case initiation documents - Case initiation documents are the *Small Claims Writ and Notice of Suit*, [JD-CV-40, Rev. 8-11](#), any related documents such as affidavits, and the *Statement of Service*, [JD-CV-123, New 1-11](#). The filer will enter the information needed to create a small claims case record and scan the case initiation documents into an electronic image and file them electronically with the clerk.
  2. Applications for Execution and related documents – The following documents can be e-filed: Application for Wage Execution (JD CV 3); Application for Execution - Financial Institution – Debtor is not a natural person (JD CV 24N); Application for Execution Financial Institution – Debtor is a Natural Person (JD CV 24); Application for Execution - Property (JD CV 5); Execution Re-filed as Corrected – No Fee; Execution Returned (partially satisfied, satisfied and/or unsatisfied) and Affidavit of Lost Execution.

**Note: It is the intent of the Judicial Branch to implement e-filing of all small claims case documents; however, currently, only case initiation documents and executions and related documents as listed in this subsection can be filed electronically. Other small claims case documents, including answers and appearances, must be mailed, faxed, or hand-delivered to the court.**

- D. Signatures** - Documents submitted electronically through the e-filing system must be signed and fully executed in writing by the self-represented party as follows:

1. Case initiation documents and any other document requiring oath or affirmation must be fully executed with a pen-to-paper signature on the signature lines of the document before the documents are electronically filed with the small claims court through small claims e-filing. The placement on the signatures lines of the pen-to-paper signature shall constitute the signature of the self-represented party for the purposes of section 24-8 and section 24-9 of the Practice Book.
  2. For all other documents electronically filed with the small claims court through small claims e-filing, entry in the small claims e-filing system of the User ID of the self-represented party who electronically filed the document will constitute the signature of the self-represented party.
- E. **Filing Date/Confirmation of Filing** – An electronically transmitted document shall be deemed filed when it is received by the clerk's office during the normal hours of operation of the office. A document that is received outside of the normal business hours, including a day on which the clerk's office is closed, shall be deemed filed on the next business day the office is open. The time that a document is submitted and the time that the document is filed shall be recorded in the electronic filing database and shall be directly associated with the specific document. Confirmation of the date and time of an electronic transaction and of the filing date of the document filed electronically shall be transmitted electronically to the filer. It is recommended that the filer of the document print out or electronically copy and retain the confirmation until the final resolution of the action.
- F. **Document destruction and retention** - Documents filed electronically with the court will be printed out and retained in paper format as part of the small claims court file; documents filed with the clerk in paper format will be retained in that format as part of the small claims court file and any provision of these procedures to the contrary shall not be applied.

**Note: It is the responsibility of each attorney or self-represented party who files a document electronically or in paper format to omit from the filing any confidential or otherwise privileged information unless the inclusion of such information is required by law, requested on a Judicial Branch form, or otherwise ordered by the Judicial Authority.**

- G. **Corrective Measures in Small Claims E-Filing** - In small claims cases, data entry may be conformed to the *Small Claims Writ and Notice of Suit*. The specific procedure is as follows.

When a filer electronically files case initiation documents with the court and the case type, venue, amount claimed, party type, and/or name(s) of plaintiff(s) and/or defendant(s) entered into the system do not conform to the information contained in the *Small Claims Writ and Notice of Suit* served on the defendant(s) and submitted electronically to the court, the filer may seek the correction of specific data by means of a *Request to Conform Case Initiation Data Entry Information to Small Claims Writ and Notice of Suit*, [JD-CL-116](#), New 1-11. The *Request to Conform Case Initiation Data Entry Information to the Small Claims*



*Writ and Notice of Suit* must be filed by the attorney or self-represented party and served on all parties to the action in accordance with Sections 10-12 through 10-17 of the Practice Book. Such request will be acted on by the clerk of Centralized Small Claims. Any objection to the request must be filed within ten (10) days of the filing of the request.

Currently, there is no capability to electronically substitute, repair or move e-filed documents in small claims matters. Amended documents may be filed by mail, fax or hand delivery with a motion describing the action sought.

- H. **Failure to comply with standards and procedures** – If any document is filed on paper by an attorney or law firm without an exclusion from E-Services requirements instead of electronically as set forth in this section, the clerk shall not file the document and shall write “Not Accepted” across the file stamp on the document. The clerk shall return the document to the sender with a notice as to why it was not filed.

#### IV. Facsimile Filing of Motions, Pleadings, or Other Documents

- A. **Scope** - Pursuant to Section 4-4 of the Connecticut Practice Book, the following procedures are established by the Office of the Chief Court Administrator for the filing of motions, pleadings, or documents by electronic means through facsimile filing. Attorneys and law firms without an exclusion from electronic services requirements cannot file documents through facsimile filing in cases in which they have an appearance on behalf of a party if electronic filing through e-filing is mandatory for the case.
- B. **Form/Page limits** - Any pleading, document, or other paper filed by facsimile transmission shall be accompanied by a [Facsimile Transmission Cover Sheet \(JD-CL-73\)](#) prescribed by the Office of the Chief Court Administrator. Such filings may not exceed twenty pages, including the cover sheet, unless otherwise directed by the court.
- C. **Original Document/Certification** – The facsimile transmission received by the clerk shall be deemed the original. A facsimile transmission of a signed pleading, document, or other paper shall be considered signed for purposes of Section 4-2 and Section 10-14 of the Practice Book. The attorney or party shall retain the signed copy of the pleading, document, or other paper during the pendency of the action, any appeal period, and any applicable appellate process. The signed copy retained by the filer shall contain a certification signed by the filer indicating that the document is a true copy of the document that was transmitted by facsimile to the clerk. The filer shall produce the signed copy upon request of the Court. If the filer fails to produce the document, the Court may take any action and impose any sanction it deems appropriate.
- D. **Specific Types of Documents** – Except as otherwise provided in these procedures, any pleading, document, or other paper may be filed with the court by facsimile transmission.
1. Documents requiring oath/affirmation - Documents that require an oath or affirmation may, if signed and fully executed in writing, be submitted by



facsimile. The filing party shall retain the original paper documents throughout the pendency of the action, any appeal period, and any applicable appellate process.

2. The following may **not** be filed by facsimile:
  - a. Any pleading, document, or other paper that commences an action,
  - b. Any filings that must be accompanied by any fee or other payment,
  - c. Criminal summonses and complaints,
  - d. Uniform Arrest Reports, arrest reports, bond forms and seized property inventories, and
  - e. Requests, applications, petitions, and other documents pertaining to restraining orders
  - f. Documents in cases for which electronic filing through e-filing is mandatory unless the attorney or law firm has been granted an exclusion from electronic services requirements.
  
- E. **Filing date/Confirmation** – Facsimile filings shall be complete upon the receipt of the entire document by the clerk’s office. Facsimile transmissions received by the clerk’s office during the normal hours of operation of the office shall be deemed filed that day. A document that is received outside of the normal business hours, including a day on which the clerk’s office is closed, shall be deemed filed on the next business day upon which such office is open. The date of filing shall be as recorded on the document by the clerk. The filer must cause the transmitting facsimile machine to print a transmission record which shall be retained by such filer for each transmission. If the facsimile document is not filed with the court as set forth herein because of an error in transmission unknown to the sender or because of a failure to process the facsimile document when received by the court, the filer may move for an order to allow the filing of the document as deemed appropriate by the court. This motion shall be accompanied by the transmission record, a copy of the document transmitted, and an affidavit of transmission.
  
- F. **Failure to comply with standards and procedures** – If a document exceeds the page limit, is incomplete as transmitted, is faxed to the incorrect court, or is otherwise not in compliance with the requirements of this section, the clerk shall not file the transmitted document but shall destroy it and return the cover sheet to or otherwise notify the sender as to why the document was not filed.

## V. Online short calendar markings

- A. **Scope** – Short calendar markings are governed by the [Civil](#) or [Family](#) Short Calendar Standing Orders. Those standing orders govern the time within which markings must be made, the method by which those markings must be made, and the information that must be provided by the person marking the matters. They are posted on-line at the following link:  
<http://www.jud.ct.gov/external/super/StandOrders/default.htm>.
  
- B. **Marking Methods** – Electronic short calendar marking through E-Services is mandatory for all attorneys and law firms, unless an exclusion from electronic marking has been granted. Only self-represented parties, and attorneys or law

firms with an exclusion, may mark their cases by telephone. Self-represented Parties approved for electronic access to their civil or family case can mark short calendar matters electronically through E-Services.

**Note: Markings by facsimile are not accepted.**

- C. **Obtaining an Exclusion** – Attorneys and law firms can apply for an exclusion from electronic services requirements by completing the Request for Exclusion from Electronic Services Requirements form ([JD-CL-92](#)). The form shall be submitted to E-Services Exclusion Requests, Superior Court Operations, 90 Washington Street, 3<sup>rd</sup> Floor, Hartford, CT 06106 for processing. Each exclusion request shall be ruled on by the Chief Court Administrator or the Chief Court Administrator's designee.
- D. **Markings Available** – Regardless of the manner of transmittal, the following designations may be used in marking matters on the short calendar. Information on marking matters on specific calendars is found in the calendar notices.
  1. “Ready” – This marking is used for civil and family arguable matters:
    - a. to have a matter that is listed on the calendar as ARG (arguable) heard by the court on the scheduled date.
    - b. to ask the court to rule on a non-arguable family discovery or deposition motion without a hearing. You do not come to court on the date of the calendar when you mark a non-arguable family discovery or deposition motion “Ready.”
    - c. to have the following matters listed as non-arguable (N/A) on the property calendar (currently Calendar 02) heard by the court on the scheduled date:
      - Motion to open and modify judgment;
      - Motion to open and vacate judgment;
      - Motion to open judgment;
      - Motion to open judgment and extend the law day; and
      - Motion to open judgment and extend the sale date.
  2. “Take Papers” – This marking is used for civil arguable and non-arguable matters:
    - a. To ask the court to decide a civil arguable matter by reviewing the papers. Civil arguable matters marked “Take Papers” may be handled in one of two ways: (1) the court may decide the matter by reviewing the papers, or (2) the court may have a hearing.
    - b. To ask the court to review and decide a civil non-arguable matter on the papers.
    - c. To ask the court to hear argument on a civil non-arguable matter. If you want to ask the court for a hearing on a motion listed as N/A, you must

mark the motion "Take Papers" and file a [Request for Argument](#). Do not come to the courthouse on the date of the calendar unless you have received a specific notice from the clerk directing you to do so.

**Note:** Do not use a "Take Papers" marking to mark a civil matter that appears on a calendar if a request for argument has been granted on a non-arguable motion or the Court has granted or required argument on any other matter.

3. "Off" –This marking may be used for civil (arguable or non-arguable) or family matters:

- a. To inform the court that no action is required.

**Note:** If a motion is not marked, the court will take no action on it.

- b. To change a "Ready" or "Take Papers" marking that has already been made to inform the court that no action is required.

E. **Notification/Confirmation** – On arguable matters, counsel and self-represented parties must bring the confirmation of the marking to the short calendar hearing. This confirmation may be in the form of a *Short Calendar Markings Confirmation and Receipt* produced upon completion of the online electronic Short Calendar Markings Entry transaction or a detailed signed statement from the person who telephoned the marking to the court containing the name of the person who marked the case, telephone number, and the date and time of the marking.

VI. **Electronic Citations (eCitations) - The Procedures and Technical Standards for the State of Connecticut Centralized Infractions Bureau Electronic Citations Processing System (eCitations)** can be accessed [here](#).

These revised E-Services Procedures and Technical Standards are approved as amended and are effective **December 15, 2014**

  
The Honorable Patrick L. Carroll III  
Chief Court Administrator