

**CHECKLIST FOR SUFFICIENCY OF PAPERS FILED
UNDER P.B. SECTIONS 17-23 THROUGH 17-29
(CASES FILED ON 10/01/2016 OR LATER)**

JD-CL-42A New 1-17
P.A. 16-65 §§ 47, 52 and 53
P.B. §§ 17-23 through 17-29

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



Instructions to Clerk

Use as a guide to be sure all forms contain required information and documentation.

Name of case	Docket number CV
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Documentation:

- Submitted on Judicial Branch forms JD-CV-49, JD-CV-50 and JD-CV-52, Motion for Default For Failure To Appear, Proposed Judgment and Order For Weekly Payments; Affidavit of Debt; and Notice of Judgment and Order For Weekly Payments
- Action is based upon an express or implied promise to pay a definite sum claiming only liquidated damages (P.B. § 17-24)
- Certified to non-appearing defendant(s) as required (P.B. § 10-12)
- Motion, affidavit, and/or certification signed and dated (P.B. § 7-6)
- Defendant(s) have not filed an appearance
- Proposed notice of judgment has been filed
- If requesting a nominal order for payments, the amount does not exceed the amount set by the judges of the superior court
- Default has not entered

Service Of Process:

- Proper Service has been made on Defendant(s)
- Proper Officer's Return signed and filed
- Proper venue

Military Affidavit:

- Sufficient factual basis (P.B. § 17-21)
- Timely Affidavit (Public Law 108-189, § 201(g))

Affidavit Of Debt:

- Signed by the plaintiff or an authorized representative of the plaintiff who is not the plaintiff's attorney
- Copy of negotiable instrument or assigned contract, attached (P.B. § 17-25)
- Statement that the instrument or contract is now owned by the plaintiff (P.B. §17-25(b))
- Statement of the amount due or the principal owed
- Statement that the copies attached are true copies of the originals

If action brought by Consumer Collection Agency or if the Plaintiff is not the original party with whom the original instrument or contract was made:

- Copies of assignments or bills of sale back to the original creditor, attached
- Statement that the plaintiff is now the owner of the debt and purchased the debt from the last owner
- Statement listing the name, address and dates of ownership of each owner of the debt, from the charge-off creditor to the current owner
- If a consumer collection case and a copy of the assignment to Consumer Collection Agency is not attached, then documentation attached:
 - Establishing that the plaintiff is the owner of the debt
 - Containing the original or charge-off account number (may be partially redacted)
 - Containing the name associated with the debt

If Credit Card Account:

- Copy of most recent monthly statement recording a purchase, transaction, service billed, last payment or balance transfer
- Statement reflecting charge-off balance
- For consumer debt purchased on or after October 1, 2016, account statement sent to consumer debtor while the account was active, showing consumer debtor's name and address
- Statements, if any, required by Federal Consumer Financial Protection Bureau regulations
- Post charge-off itemization of balance if the balance is different from the charge-off amount

Attorney's Fees:

- Terms of the contract providing for reasonable attorneys' fees
- Copy of portion of contract which allows for attorney's fees, attached
- Attorney's fees are not in excess of 15%
- Attorney's fees limited in actions on consumer contracts or leases (C.G.S. § 42-150aa)
- Statement with reasons for the specific amount of attorney's fees requested (P.B. §17-25(c))

Interest:

- Amount of interest claimed is stated and is correct
- Dates of interest period (from/to) (P.B. § 17-25(b)(1))
- Period claimed does not exceed date of judgment
- Manner in which interest was calculated is stated
- Rebate of computed interest is stated
- Authority upon which interest claimed is based

Other lawful fees or charges:

- Copy of portion of contract allowing fees or charges, attached

Bill Of Costs:

- Proper Officer's fees correct
- Statutory Authority for costs claimed (C.G.S. § 52-257)
