

Procedures to Follow to Represent Yourself in an

ENTRY AND DETAINER (LOCKOUT) CASE



**State of Connecticut Judicial Branch
Superior Court**

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DISCLAIMER

The Clerk's Offices of the Housing Session are authorized by C.G.S. Sec. 51-52 (d) to assist pro se parties (persons representing themselves). See Appendix I for the listing of the Clerk's office nearest you. We will assist you as much as we can, but we cannot act as your attorney, thus you are solely responsible for any actions you take on your own behalf. The Clerks' Offices are not responsible for any errors either in the forms provided to you or in these instructions. If you feel you need more information or assistance, you should either consult an attorney or read the appropriate sections of the Connecticut General Statutes and Connecticut Practice Book. See Appendix II if you want an attorney to represent you and do not know the name of an attorney in your area. See Appendix III for the Legal Aid Offices nearest you if you want an attorney to represent you but you are unable to afford one. The Clerks' Offices of the Judicial District courts and Geographical Area courts are specifically prohibited by law from providing any pro se assistance other than that contained in these instructions or in official forms. See Appendix IV for the nearest Judicial District and Geographical Area Clerks' offices.

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PROCEDURES TO FOLLOW TO REPRESENT YOURSELF IN AN ENTRY AND DETAINER (LOCKOUT) CASE

1. Read these instructions carefully and completely before attempting to fill out any of the accompanying forms.
2. The first step in representing yourself is to fill out the form called Verified Lock-Out Complaint and Application for Temporary Injunction (Form JD-HM-24, see sample on page 3). You are known as the “plaintiff” and your landlord is known as the “defendant.” Once you have read and understand what these papers say, fill in all the blank spaces and check off all of the boxes that apply to your situation. The complaint must be verified by you under oath and signed in the presence of a clerk, notary public, or attorney.
3. Three orders will be presented to the judge along with your verified complaint. See Entry and Detainer Proceedings Summons, ExParte Injunction and Order to Show Cause (Form JD-HM-23 on page 4). These orders will be completed by the Clerk’s office *after you complete the top portion of the form*. The first order, the Summons, sets the court hearing date for not more than 8 days from the date the judge signs the order. This form orders the defendant (landlord) to appear at the court at the date and time indicated in the Summons. Of course, you must also be present at that date and time. Your landlord may bring an attorney to represent him or her. You have the same right if you should want an attorney to represent you.

The second order is the Ex-Parte Temporary Injunction, which orders the landlord to let you back into your residence immediately after he/she receives the order from the marshal or other proper officer. If the judge signs the Ex-Parte Temporary Injunction, it will remain in effect until a hearing is held in court on the date and time indicated in the Summons.

The third order is a Order to Show Cause, which also orders the landlord to be in court on the day of the hearing. All 3 orders will be presented to the judge by the Clerk with your completed verified complaint and application. It is up to the judge to decide whether or not he/she will sign any of these papers. The judge may sign only the Summons setting up a hearing date without signing the Ex-Parte Temporary Injunction or the Order to Show Cause or, he/she may sign both the Summons and Order to Show Cause without signing the Ex-parte Temporary Injunction.

4. If you do not have the money to pay the filing fee for your case or the marshal’s or other proper officer’s fees, you may ask the court to waive

these fees by filing a Financial Affidavit and an Application for Waiver of Fees. Be sure to completely and accurately fill out these papers. They must be verified by you under oath and signed in the presence of a clerk, notary public, or attorney. These papers will be submitted along with your other papers to the judge for his/her approval and signature.

5. Once the papers have been submitted to the judge, you will need to have all of them which were signed by the judge (with the exception of the Application for Waiver of Fees and Financial Affidavit) served on your landlord by a marshal or other proper officer. Unless you have obtained a waiver of the fees, there is a fee to have the papers served by a marshal or other proper officer (approximately \$45.00- \$60.00). You must also pay the filing fee of \$175.00 at this time unless the fee has been waived.
6. It is important that you obtain the name of the marshal or other proper officer who is actually serving the papers. Also, you must have the papers returned to the Clerk’s office before the scheduled court hearing date. It is recommended that the papers be returned to the Clerk’s office at least two (2) full working days before your scheduled hearing date.
7. On the day of the hearing listed in the Summons be present in court on time and be prepared to present your case (i.e., to show that you have been locked out illegally). You should bring any witnesses or evidence that will support your claims. The evidence should consist of rent receipts, written leases, cancelled rent checks, or any people who may have visited you at the residence you claim that you are being locked out of. Bring anything you consider important or relevant to your case. If a witness will not come to court voluntarily, you may request that a subpoena be issued ordering the witness to come to court for the hearing. You should request the subpoena from the Clerk’s office at least three days before the scheduled hearing date. The subpoena must be served on your witness at least 18 hours before the scheduled time of your hearing. The marshal or other proper officer will charge a fee to serve the subpoena. You can request a waiver of this fee as well when you fill out your Application for Waiver of Fees mentioned above.

Your landlord has a right to be present. Both you and your landlord will be given an opportunity to present your side of the case. The judge will decide the case on all the evidence.

8. You may also wish to bring a separate small claims action if your money damages total \$5000.00 or less. The Clerk’s office will supply you with forms and instructions to begin a small claims action. If your damages exceed \$5000.00, you should contact an attorney to represent you in a civil action.

Verified Lockout Complaint and Application for Temporary Injunction

VERIFIED LOCKOUT COMPLAINT AND APPLICATION FOR TEMPORARY INJUNCTION
 JS-4-024 Rev. 5-2000
 C.G.S. § 47a-43

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

JUDICIAL DISTRICT OF _____

JUDICIAL DISTRICT HOUSING SESSIONS _____

GEORGICAL AREA NUMBER _____

PLAINTIFF(S) _____

VS. _____

DEFENDANT(S) _____

- Since _____, the above-named plaintiff(s) has/has been the actual possessor(s) of the dwelling unit located at the following address: _____
- In violation of Connecticut General Statute Section 47a-43(a), the above-named defendant(s) or his/her/their agents has/has taken the following actions without the consent and against the will of the plaintiff(s): (C.G.S. § 47a-43(a))
 - (a) On or about _____, entered the dwelling unit and with strong hand locked the plaintiff(s) out
 - Padlocking the door
 - Changing the locks
 - Other (specify below): _____
 - (b) Prevented the plaintiff(s) from occupying the dwelling since _____
 - (c) Caused damage to the premises described above or removed, damaged or took possession and control of personal property of the plaintiff(s) including but not limited to the following items: _____
- The above actions of said defendant(s) or his/her/their agents have caused irreparable loss or damage in that the plaintiff(s) is/are being deprived of his/her/their dwelling and possessions contained therein.
- The plaintiff(s) is/are without any adequate remedy at law.

- WHEREFORE, the plaintiff(s) request(s) that the court:**
- Issue an ex parte injunction immediately enjoining the defendant(s) and his/her/their agents from depriving the plaintiff(s) of the dwelling unit and the personal property described above; and, waive the bond requirement for said temporary injunction for good cause shown; (C.G.S. §§ 52-472, 52-473)
 - Issue an order permanently enjoining the defendant(s) and his/her/their agents from depriving the plaintiff(s) of access to the dwelling unit and the personal property described above; (C.G.S. § 52-471 et seq.)
 - Award the plaintiff(s) a writ of restitution ordering that the plaintiff(s) be restored to the premises and/or to his/her/their personal property (C.G.S. § 47a-43g)
 - Order any other legal or equitable relief that the court deems proper.

I SWEAR THAT THE ABOVE STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE.

DEFENDANT(S) _____ SUBSCRIBED AND SWORN TO BEFORE ME ON (Date) _____

CLERK, ADDRESS OF CLERK OFFICE _____ 5-00001, State of Connecticut, Commissioner of the Superior Court

Entry and Detainer Proceedings

ENTRY AND DETAINER PROCEEDINGS
SUMMONS, EX PARTE INJUNCTION & ORDER TO SHOW CAUSE
 JD-HM-23 Rev. 11-09
 C.G.S. § 47a-43

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



Instructions To Clerk

- Use this form in conjunction with JD-HM-24.
- In the shaded area of the "Summons" section of this form, set down the date and time the defendant is to appear to answer the complaint. This should not be more than eight nor less than six days from the date that the summons is signed by the judge.
- If an ex parte temporary injunction and/or an order to show cause issues, complete and sign the appropriate section below.

Judicial District Housing Session Geographical Area Number _____ At (Address of court) _____

Name(s), current address, and telephone number of plaintiff(s) _____

Name and address of defendant _____

Summons

To: Any Proper Officer

By authority of the State of Connecticut, you are hereby commanded to summon the above-named defendant to appear before the above Superior Court in session **at the above address on the date and at the time specified below**, then and there to answer to the foregoing complaint, by serving on the defendant a true and attested copy of the same at least six days inclusive before the day appointed for hearing.

Hereof fail not, but of this summons make due service and return.

Date And Time Defendant Is Summoned To Appear		Date	Time
Dated at (Town)	On (Date)	Signed (A Judge of the Superior Court)	

Ex Parte Temporary Injunction

To: The above-named defendant

It is **ordered** that, while waiting for the hearing which you are being notified of in the above summons, you and your agents (*people helping you*) must let the plaintiff(s) immediately into the premises and give them the personal property described in the attached complaint. You and your agents must also let the plaintiff(s) use the dwelling unit (*place to live*), and you must not try to re-rent the unit used by the plaintiff(s) or stop the plaintiff(s)'s from peacefully enjoying the dwelling unit.

It is further **ordered** that, for good cause shown, no bond is required for this temporary injunction to issue.

Dated at (Town)	On (Date)	Signed (A Judge of the Superior Court)
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Order To Show Cause

An application for temporary injunction in the above matter, duly verified, has been shown to the court; and On application of the plaintiff(s), it appears that an order should be made directing the defendant in this action to appear (*come*) before the court to show why a temporary injunction should not Issue/ Be continued;

It is **ordered** that the defendant named above be summoned to come to the Superior Court named above **at the above address on the date and at the time specified in the above summons**, to show why a temporary injunction should not Issue/ Be continued; as requested in the attached complaint.

Dated at (Town)	On (Date)	Signed (A Judge of the Superior Court)
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Return Of Service

County of _____, Connecticut		Fees
Name of defendant _____	Date of service _____	Copy
Then and there, by virtue of the foregoing, I left with and in the hands of/at the usual place of abode of the above-named defendant a true and attested copy of the verified complaint, Summons/Ex Parte Temporary Injunction/Order to Show Cause.		Endorsement
		Service
		Travel
		Total
The within and attached is <input type="checkbox"/> the original/ <input type="checkbox"/> a true copy of the original complaint, Summons/Ex parte Temporary Injunction/Order to Show Cause.		
Attest (Name and title) _____		

Distribution: Original - Return to court after service Copy 1 - Defendant Copy 2 - Plaintiff Copy 3 - Court File

Appendix I

SUPERIOR COURT HOUSING SESSIONS

Fairfield Judicial District
Superior Court-Housing Session
1061 Main Street
Bridgeport, CT 06604
Telephone: (203) 579-6936

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

New Britain Judicial District
Superior Court-Housing Session
20 Franklin Square, Room 211
New Britain, CT 06051
Telephone: (860) 515-5130

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

Stamford/Norwalk Judicial District
Superior Court-Housing Session
17 Belden Avenue
Norwalk, CT 06850
Telephone: (203) 846-4332

Waterbury Judicial District
Superior Court-Housing Session
300 Grand Street
Waterbury, CT 06721
Telephone: (203) 591-3310

Appendix II

LAWYER REFERRAL SERVICE OFFICES

Location:

Fairfield County 1-800-972-9628

Hartford, Litchfield,
Middlesex, Tolland and
Windham Counties (860) 525-6052

New Haven County (203) 562-5750

New London County (860) 889-9384

Appendix III

LEGAL AID OFFICES

For all initial screening of requests for legal assistance from legal aid programs in Connecticut:

Statewide Legal Services, Inc.

(860) 344-0380

(Hartford, Central Connecticut, Middletown Areas)

1-800-453-3320

(All Other Regions)

(continued)

Appendix III *(continued)*

Greater Hartford Legal Assistance

Hartford Office
(860) 541-5000

Enfield Office
(860) 745-0606

New Haven Legal Assistance Association, Inc.

New Haven Office
(203) 946-4811

Connecticut Legal Services, Inc.

Regional Offices:

Bridgeport (203) 336-3851

New Britain (860) 225-8678

New London (860) 447-0323

Stamford (203) 348-9216

Waterbury (203) 756-8074

Willimantic (860) 456-1761

Satellite Locations:

Danbury 1-800-541-8909

Meriden/Middletown (860) 225-8678

Norwalk (203) 348-9216

Norwich (860) 447-0323

Rockville 1-800-413-7796

Torrington 1-800-413-7797

AIDS Legal Network (860) 541-5040

Legal Assistance for Medicare Patients 1-800-413-7796 or (860) 423-2556

Appendix IV

GEOGRAPHICAL AREA COURT LOCATIONS HANDLING HOUSING MATTERS

G.A. 3

146 White Street
Danbury, CT 06810
(203) 207-8600

G.A. 10

112 Broad Street
New London, CT 06320
(860) 443-8343

G.A. 18

80 Doyle Road
(P.O. Box 667)
Bantam, CT 06750
(860) 567-3942

G.A. 5

106 Elizabeth Street
Derby, CT 06418
(203) 735-7438

G.A. 11

120 School Street
Danielson, CT 06239
(860) 779-8480

G.A. 21

1 Courthouse Square
Norwich, CT 06360
(860) 889-7338

Appendix IV

JUDICIAL DISTRICT COURT LOCATIONS HANDLING HOUSING MATTERS

Judicial District at Meriden

54 West Main Street
Meriden, CT 06450
(203) 238-6667

Judicial District at Tolland

69 Brooklyn Street
Rockville, CT 06066
(860) 875-6294

Judicial District at Middlesex

1 Court Street
Middletown, CT 06457-3374
(860) 343-6400

