

Instructions to Plaintiff

The "Small Claims Court" is a part of Connecticut's court system where a person can sue for **money damages only** up to \$5,000.00. That amount is set by state law and may change from time to time. You may also be able to get interest and costs. The only time that a person can sue for more than the \$5,000.00 limit is in a lawsuit to have a landlord return a security deposit in a landlord-tenant matter. In that kind of case **only**, a person can sue for double the amount of the security deposit, plus interest that has been added to the amount, even if the doubled amount brings the claim over the \$5,000.00 limit. The small claims court does not hear libel and slander cases.

The instructions below are numbered. The numbers are the same as the numbered sections of the SMALL CLAIMS WRIT AND NOTICE OF SUIT (form JD-CV-40). These instructions are to help you correctly fill out each section of the Small Claims Writ and Notice of Suit. For more information, get a copy of HOW SMALL CLAIMS COURT WORKS (form JDP-CV-45) from the Clerk's Office or from our website at www.jud.ct.gov/faq/smallclaims.html.

Note: Unless you are hiring a state marshal to deliver (serve) the Small Claims Writ and Notice of Suit for you, you must deliver a **copy** of the completed original Small Claims Writ and Notice of Suit to each defendant with the "Instructions to Defendant" form JD-CV-121, **before** filing those documents with the court. See "How to Serve (Deliver to Defendant) a Small Claim Writ and Notice of Suit" form for instructions. You must deliver a copy of all the documents you want to file with the court, for example, all attachments to the original writ must be delivered. After all of those documents have been delivered, file the **original** documents with the court, with the appropriate entry fee and "Statement of Service", form JD-CV-123, for each defendant. **Keep a copy** for your records.

1. Information That Will Determine Where The Trial Will Be

The information you give will determine where the trial will be if the information complies with the statutes. If this portion of the form is not filled out, the location of the trial will be determined as described below.

If you are an Individual Plaintiff, choose one of the following and enter the town where (a) the plaintiff lives, (b) the defendant lives or the defendant's business is located or (c) the transaction or injury occurred. **If you do not give any information, the town where you live will determine the place of the trial.**

If you are a Business Entity, including a domestic corporation, United States corporation or a limited liability company; choose one of the following and enter the town where (a) the defendant lives, (b) the defendant is doing business or (c) the transaction or injury occurred. **If you do not give any information, the town where the defendant lives will determine the place of the trial.**

An out-of-state individual defendant must own real or personal property in Connecticut to be sued in small claims court. That must be stated in the writ.

In matters involving a landlord and a renter (tenant), enter the town in which the rental property are located. The location of the rental property will determine where the trial will be held. (Note: If, however, the defendant now resides out-of-state, the small claims rules may not apply.)

For more information, see the Connecticut General Statutes or the Connecticut Practice Book.

2. Claim Between Landlord And Renter (Tenant)

If the claim is between a landlord and a renter (tenant), "X" the box for yes. If not, "X" the box for no.

3. Rental Property Location

Write the name of the town where the rental property is located.

4. Plaintiff(s)

The plaintiff is the person filing the claim (suing the other party). If there is more than 1 person, use 1 box for each plaintiff. For more than 2 plaintiffs, use the *Continuation of Parties* form, JD-CV-67. Enter the complete and correct legal name, address, and telephone number of each plaintiff. For each plaintiff, "X" the box for the type of plaintiff filing.

5. Attorney Information

To be filled out by attorney only if representing the plaintiff.

6. Defendant(s)

The defendant is the person you are suing. If you are suing more than 1 person, use 1 box for each defendant. For more than 2 defendants, use the *Continuation of Parties* form, JD-CV-67. Enter the complete and correct legal name, address, and telephone number of each defendant. For each defendant, "X" the box for the type of defendant being sued. **Special Note:** The name of the person or business you are suing must be exact. If you make a mistake and list the wrong name, or leave out any part of any name, you may not get your money.

7. Statute Of Limitations

A statute of limitations is a time limit on how long you have to start a case. This time limit is different for each type of case. Most statutes of limitations can be found in [Chapter 926 of the Connecticut General Statutes](#). You must give the reasons why you believe that the statute of limitations time period has not run out if the claim is a consumer debt which is a debt or obligation made primarily for personal, family or household reasons. See Section 52-350a(2) of the Connecticut General Statutes.

8. Address Verification

Check all boxes that apply showing how you know the address you give for each the defendant is accurate and provide the date you checked the addresses.

9. Amount Claimed

Enter the amount of money you are claiming. The amount may not be more than the statutory limit for small claims matters, unless the amount over the limit is for interest or costs, or is for the doubling of a security deposit in a landlord-tenant matter. Do not include the filing fee.

10. Reason For Claim

Give a clear, brief description of the nature of the case. You may attach pages if you need to. The claim must be for money damages only. Interest charges and costs that bring the amount over the limit should be listed separately here.

11. Signature And Oath

Your signature **must** be notarized. You must sign the claim in front of the person who is notarizing it. You must also print your name clearly and your title, if you have a title, in the box provided. Your oath must be taken at the time you sign the claim and the person who took your oath (the Clerk, a Notary, or a Commissioner of the Superior Court) must also sign. Attorneys are Commissioners of the Superior Court.

12. Keep A Copy Of All Documents For Your Records.

**SMALL CLAIMS WRIT
AND NOTICE OF SUIT**

JD-CV-40 Rev. 1-11
C.G.S. §§ 51-15, 51-345(g)

**CONNECTICUT SUPERIOR COURT
SMALL CLAIMS SESSION**

Type or print legibly. This Writ and Notice of Suit must be served on (delivered to) the defendant(s) before filing it with the court. See Instructions to Plaintiff on reverse.

For Court Use Only
Do Not Write In This Space
Barcode Label Only

1.) Information that will determine where the trial will be	2.) Is this a claim between a landlord and a renter? ("X" one) <input type="checkbox"/> Yes <input type="checkbox"/> No 3.) If you answered "yes" to question #2 above, state the town where the rental premises is located:
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P L T F # 1	4.) Name, address and zip code of Plaintiff #1 Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation	P L T F # 2	Name, address and zip code of Plaintiff #2 Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation
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5.) Name, address and zip code of Attorney for Plaintiff(s)	Attorney's Juris number	Telephone number (w/area code)
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D E F # 1	6.) Name, address and zip code of Defendant #1 Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation	D E F # 2	Name, address and zip code of Defendant #2 Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation
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For more than 2 defendants, attach *Continuation of Parties*, Form JD-CV-67, and "X" box.

7.) If this claim is a consumer debt (a debt or obligation made primarily for personal, family or household reasons), give the reasons why you believe that the statute of limitations has not expired.

8.) How did you check in the last 6 months that the address given for defendant(s) is accurate? "X" all boxes that apply and provide the dates that the address was checked.

1) I checked town or city records (for example, checking a street list or tax records); _____ (date checked)

2) I checked with the Department of Motor Vehicles; _____ (date checked)

3) I received correspondence (letters or other mail) from the defendant with that return address; _____ (date checked)

4) I received other proof from the defendant that the address is current;

_____ (description of proof and date checked)

5) I mailed by first class mail, at least 4 weeks before this small claims action was filed, a letter to the defendant at the address used and the letter has not been returned to me by the United States Postal Service. _____ (date checked)

9.) Amount claimed

Plus costs

10.) You are being sued. The Plaintiff(s) claims you owe the above amount for the following reasons:

The person signing below, being duly sworn, states that he or she has read the claim above and the information contained in this form and, to the best of his or her knowledge, information and belief, there is good ground to support the claim and the information is true.

11.) Signed	Type in name of person signing at left and title, if applicable	For Court Use Only (Date/Stamp)
Subscribed and sworn to before me on (Date)	Signed (Clerk, Notary, Commissioner of Superior Court)	

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA/.

**SMALL CLAIMS WRIT
AND NOTICE OF SUIT**

JD-CV-40 Rev. 1-11
C.G.S. §§ 51-15, 51-345(g)

**CONNECTICUT SUPERIOR COURT
SMALL CLAIMS SESSION**

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1.) Information that will determine where the trial will be _____
 2.) Is this a claim between a landlord and a renter? ("X" one) Yes No
 3.) If you answered "yes" to question #2 above, state the town where the rental premises is located: _____

P L T F # 1	4.) Name, address and zip code of Plaintiff #1 _____ _____ _____	P L T F # 2	Name, address and zip code of Plaintiff #2 _____ _____ _____
	Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation		Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation

5.) Name, address and zip code of Attorney for Plaintiff(s) _____ Attorney's Juris number _____ Telephone number (w/area code) _____

D E F # 1	6.) Name, address and zip code of Defendant #1 _____ _____ _____	D E F # 2	Name, address and zip code of Defendant #2 _____ _____ _____
	Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation		Telephone number (w/area code) ("X" One) <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> Individual <input type="checkbox"/> DBA <input type="checkbox"/> Corporation

For more than 2 defendants, attach *Continuation of Parties*, Form JD-CV-67, and "X" box.

7.) If this claim is a consumer debt (a debt or obligation made primarily for personal, family or household reasons), give the reasons why you believe that the statute of limitations has not expired.

8.) How did you check in the last 6 months that the address given for defendant(s) is accurate? "X" all boxes that apply and provide the dates that the address was checked.

1) I checked town or city records (for example, checking a street list or tax records); _____ (date checked)

2) I checked with the Department of Motor Vehicles; _____ (date checked)

3) I received correspondence (letters or other mail) from the defendant with that return address; _____ (date checked)

4) I received other proof from the defendant that the address is current;
 _____ (description of proof and date checked)

5) I mailed by first class mail, at least 4 weeks before this small claims action was filed, a letter to the defendant at the address used and the letter has not been returned to me by the United States Postal Service. _____ (date checked)

9.) Amount claimed

Plus costs

10.) You are being sued. The Plaintiff(s) claims you owe the above amount for the following reasons:

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1.) Information that will determine where the trial will be _____

2.) Is this a claim between a landlord and a renter? ("X" one) Yes No

3.) If you answered "yes" to question #2 above, state the town where the rental premises is located: _____

P L T F # 1	4.) Name, address and zip code of Plaintiff #1	P L T F # 2	Name, address and zip code of Plaintiff #2
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5.) Name, address and zip code of Attorney for Plaintiff(s) _____

Attorney's Juris number _____ Telephone number (w/area code) _____

D E F # 1	6.) Name, address and zip code of Defendant #1	D E F # 2	Name, address and zip code of Defendant #2
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2) I checked with the Department of Motor Vehicles; _____ (date checked)

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5.) Name, address and zip code of Attorney for Plaintiff(s) _____

Attorney's Juris number _____ Telephone number (w/area code) _____

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