

MOTION FOR DEFAULT FOR FAILURE TO APPEAR AND JUDGMENT – Revised 09/05/13

A motion for default and judgment, affidavit of debt, military affidavit, and bill of costs may be filed in any **civil** action that is based upon an express or implied promise to pay a definite sum and claiming only liquidated damages. ([Section 17-23 et seq. of the Connecticut Practice Book](#)). If you have already filed and obtained a default for failure to appear in an action, this procedure is no longer an option.

Note: If an action is e-filable, documents must be filed electronically in accordance with the [E-
Services Procedures and Technical Standards](#).

Documents to be filed with the court ([Section 17-25 of the Connecticut Practice Book](#)):

Use the forms prescribed by the office of the chief court administrator. ([Section 17-24 \(b\) of the Connecticut Practice Book](#))

File only the originals of the [JD-CV-49](#) and the [JD-CV-52](#) with the court.

Note: Under [Section 4-7 of the Connecticut Practice Book](#), any documents filed with the court must not include personal identifying information, and if any personal identifying information is present, the information must be redacted from any documents filed with the court, whether filed in electronic or paper format, unless otherwise required by law or ordered by the court.

1. A Motion for Default for Failure to Appear, Judgment, and, if applicable, Order for Weekly Payments ([JD-CV-49](#))
2. A Military Affidavit ([JD-CV-49](#))

Note: The military affidavit should be executed within 30 days of the entry of judgment to avoid a judge's finding it insufficient.

3. A Bill of Costs ([JD-CV-49](#))
4. An Affidavit of Debt ([JD-CV-52](#))

Note: With respect to the affidavit of debt:

- A copy of the negotiable instrument that provides the basis for the claim of liability and/or a copy of the contract that provides the basis for attorneys' fees and/or interest beyond the statutory rate must be attached to the affidavit of debt.
 - The affidavit itself must also reference the applicable terms of the contract and provide the reasons for the specific amount of attorneys' fees requested. ([Section 17-25 \(c\) of the Connecticut Practice Book](#))
 - If the interest of the original obligee in the underlying negotiable instrument has been assigned to the plaintiff, the instrument making such assignment must also be attached to and the plaintiff's ownership interest referenced in the affidavit.
 - The amount of interest must be separately stated and must specify the date to which the interest is computed. That date may not be later than the date of the entry of judgment ([Section 17-25 \(b\) of the Connecticut Practice Book](#)).
 - It is helpful to include the rate of interest, the dates of accrual, and the per diem in the affidavit of debt.
5. Notice of Judgment and Order for Weekly Payments ([JD-CV-50](#))

COMPLETION OF THE PROCESS ([Section 17-28 of the Connecticut Practice Book](#)):

6. Once the judgment has been entered, the court will send the notice and judgment to the plaintiff who must serve a copy of the Judgment and Notice ([JD-CV-50](#)) on each judgment debtor.
7. The completed certification of service of notice and judgment to all parties must be returned to the court.

Note: No execution on the judgment may be obtained until 20 days after the clerk receives one copy of the Judgment and Notice with a certification that a copy has been served on each judgment debtor in accordance with P.B. Sections 10-12 – 10-14 of the Connecticut Practice Book. ([Section 17-28 of the Connecticut Practice Book](#))