

Connecticut Judicial Branch Self-Represented Parties Information Series

Writing a Motion

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Welcome to the Connecticut Judicial Branch Law Libraries Self-Represented Parties Information Series

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Connecticut Superior court Civil Lawsuit: Writing a Motion

In this overview, we will talk about the mechanics of how to write a motion for a Connecticut Superior Court civil lawsuit. Getting in touch with a lawyer to help you is a good idea. But, if you decide to act as your own lawyer, the following is information to know as you write your own motion.

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Each case may include Unique Details.

There may be similarities between your case and another, but cases differ from one another; they may have different parties, issues, and facts. For these reasons few motions are available in preprinted form where all you need to do is check a box or fill in a few words. Just as each case may include unique details, each motion may include unique details. Each motion is specific to the case and what is being asked of the court. Often, in a civil suit you will need to write, or draft, a motion yourself.

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Some words to know

A Motion means a pleading, or paper, usually written, filed in a case asking the court to make a decision or judgment on a case related matter or process. Party is the word for a person, business or governmental entity who is involved in a lawsuit either as a defendant or plaintiff. The Plaintiff is the party who is doing the suing, the party who starts the civil case. The Defendant is the party who is being sued.

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Court Forms

Some court forms are preprinted and available on the Judicial Branch's Official Court Webforms page. These include a few frequently used motions for civil, family, and housing courts. However, many motions do not exist as preprinted forms and must be written, or drafted, by the party.

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Connecticut Practice Book

The Connecticut Practice Book, also referred to as just the Practice Book, has several chapters you will want to review regarding motions. Many of your basic questions on how to write and file a motion may be answered in the Practice Book.

Chapter 4, Pleadings, provides information on how to format, or set up, a document that is being filed with the court. It instructs on the size of the paper and how to format the heading. Section 4-1(d) states that the Clerk may require a party to resubmit a motion that does not properly follow the rules.

Chapter 11, Motions, provides more information on what to include in a written motion.

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Connecticut Practice Book - Appendix of Forms

In the Appendix of Forms of the Practice Book, you will find Form 101 which provides an example of how to set up the motion heading to comply with the court rules.

In the next few slides, we will go over how to set up and write a motion.

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Heading

The heading of a motion includes the docket number, the name of the case, the court where the matter is being held, and the date of the motion. Follow the example provided in the Practice Book, Appendix of Forms, Form 101.

On the left side of the heading type the Docket Number. Two spaces down from the Docket Number type the Plaintiff's name, the party who is doing the suing. Two spaces below the Plaintiff's name type the letter "v" followed by a period. The "v" stands for versus, which means against. Two spaces below the v type the Defendant's name, the person who is being sued.

On the right side of the heading type the court name and date. Across from the Docket Number, on the right side, type "Superior Court." Across from the Plaintiff's name, on the right side, type the Judicial District or G.A. (Geographical Area) number. For example, "Judicial District of Hartford" or "G.A. 14." Across from the "v," type "at" and the location of the courthouse. For example, "Judicial District of Litchfield at Torrington" or "G.A. 12 at Manchester." Two spaces below "at," and across from the Defendant's name, type the date of the motion.

The heading is followed by the title of the motion. Two spaces below the heading, in the center of the document, type the title of the motion. Motion titles are generally in all capital letters and underlined.

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How to write the text of a Motion.

Since each case may include unique details, each motion also may include unique details. It can be difficult to find samples or examples of a motion or a forms that says exactly what you want or need it to say. However, there are a few publications which provide some sample language or examples of motions. These samples or examples can be used as a guide as you write your own motion, or may even have some language which you can incorporate into your motion. But often you will need to write your motion without a sample or example.

Overall, when writing a motion, you will want to keep it simple and direct. Tell the court what you would like the court to do or allow, and tell the court why the court should do or allow what you ask. Connecticut Practice Book section 10-1 states “each pleading shall contain a plain and concise statement...” A motion does not need to be long or full of legal language. Keep your motion simple – clearly state what you want from the court and why. Include only information that is important and will help the court to make a decision on your motion.

You can visit or contact a Judicial Branch Law Library to conduct research to see if any preprinted samples or examples of your motion may be available.

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Example – Motion to Transfer

For our example, the parties are Jane Jones, as the Plaintiff, and John Jones, as the Defendant. The court is the Judicial District of Fairfield at Bridgeport, the date is 3/1/2020. The title of our motion is a MOTION TO TRANSFER.

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Text of a Motion

The opening sentence of a motion usually begins with providing your name and identifying if you are the plaintiff or defendant. That sentence is then followed by a brief statement of what you are asking of the court. For example, this motion to transfer begins with “The Plaintiff, Jane Jones, respectfully moves that this matter be transferred to the Superior Court, Judicial District of Tolland, because neither party currently resides in the Fairfield Judicial District.” The motion then gives more information on where the parties currently reside, or live.

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Signature

Signature - Connecticut Practice Book section 4-2

Each motion must be signed by the party submitting the motion. Practice Book section 4-2 states the rule about the signing of pleadings. Make sure you are in compliance with Practice Book section 4-7 regarding personal identifying information, if it applies to your motion.

The signature should appear on the right side of the document following the text of your motion. It begins with indicating if you are the plaintiff or defendant. Below this indication is your signature. Below your signature type your name. Below your name type your address. Below your address type your telephone number.

In our example, the plaintiff, Jane Jones, will sign on the line and her name, address, and phone number are typed below her signature.

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Oral Argument/Testimony

Oral Argument/Testimony - Connecticut Practice Book section 11-18

Connecticut Practice Book section 11-18 states that for a motion “oral argument is at the discretion of the judicial authority....” except for a few select motions, as listed in the rule, where oral arguments are required.

Most motions do not require oral argument. Oral argument must be requested. Oral argument is when you and the other party, or parties, presents the reasons why the judge should rule in your or the other party’s favor on the issue in the motion. Oral argument will take place during a short calendar session. The court will assign the date for the short calendar session and the parties will need to follow the procedures for short calendar and mark the motion as required. Short calendar sessions for arguable matters may be conducted in a courtroom or remotely.

The judge may ask questions to make sure he or she understands your argument. The judge can make a ruling at that time from the bench, or may issue a written ruling later.

In your motion, below the signature and address, on the right side, indicate if oral argument or testimony is requested by typing oral argument is requested, and below that type testimony is required. These are generally typed in capital letters. It is not necessary to insert a notation if oral argument or testimony is not requested.

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Certification

Certification – Connecticut Practice Book sections 10-12 to 10-17.

The Practice Book section 10-14 states, “Proof of service pursuant to Section 10-12(a) and (b) may be made... by a certificate of counsel for the party filing the pleading or paper, or by the self-represented party....” The Certification section of the motion is where you confirm to the court that you have provided a copy of your motion to all other parties of record. The Certification appears on a separate sheet, after the signature block of the motion. Copies may be provided to the other party or parties by United States mail, or by electronic delivery if the parties have already agreed to this form of service.

Delivery of the motion to other parties should happen before you file the motion or on the same day. You should not deliver the motion to the other parties on a day after you have filed it.

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Short Calendar

Sections 11-13 to 11-19 of the Practice Book talk about the Short Calendar. Section 11-13 states “Unless otherwise provided in these rules or ordered by the judicial authority,....all issues of law must be placed on the short calendar list.” Civil Short Calendars are issued by each Judicial District. Separate calendars are issued for arguable matters and non-arguable matters. The Short Calendar notice marking instructions must be followed to have your motion acted upon. The arguable Short Calendar is a list of cases for which a hearing by a judge or magistrate is requested or required. Short calendar sessions for arguable matters may be conducted in a courtroom or remotely. Several cases are scheduled during Short Calendar and the judge or magistrate will address the cases one at a time. At the hearing, the judge or magistrate will hear the arguments for and against the motion. He or she may issue a ruling or order at that time from the bench, or he or she may issue a written ruling or order within 120 days following the hearing.

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This is the end of our overview. For more information please visit or contact a Judicial Branch Law Library, a Court Service Center, or the Judicial Branch website.