

**MOTION TO WAIVE STATUTORY TIME PERIOD UPON  
DEFENDANT'S FAILURE TO APPEAR AND AFFIDAVIT -  
DIVORCE OR LEGAL SEPARATION**

JD-FM-272 New 10-18  
C.G.S. § 46b-67; P.A. 18-14 § 2

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



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FTA90



**Instructions:**

1. If your spouse has not appeared, you may file this motion with the clerk no sooner than thirty days after the return date in your divorce (dissolution of marriage or civil union), or legal separation.
2. You must also file a completed Financial Affidavit form JD-FM-6 (LONG or SHORT) in order for the court to proceed.

Judicial District of	At (Town)	Docket number
Plaintiff's name (Last, first, middle initial)	Plaintiff's address (Number, street, town, zip code)	
Defendant's name (Last, first, middle initial)	Defendant's address (If known) (Number, street, town, zip code)	

1. I, the plaintiff in the above captioned matter, ask the court to waive the time periods set forth in section 46b-67(a) of the Connecticut General Statutes so that a decree may enter prior to their expiration in this: (*check one*)

- Divorce (Dissolution of marriage)
- Dissolution of Civil Union
- Legal Separation

2.  I also ask the Court to restore my birth name or former name of: \_\_\_\_\_
3.  If "Yes" is selected for any of the statements in 3-9 of the Affidavit below, I request a hearing date of \_\_\_\_\_.  
 If "No" is selected for all of the statements in 3-9 of the Affidavit below, I request that the Court enter a decree without a hearing.

**Affidavit**

I, \_\_\_\_\_ (*name*), am the plaintiff in the above captioned matter and attest under oath to the following in support of this motion:

1. It has been 30 days, or more, since the return date of \_\_\_\_\_ (*list return date from summons/complaint*) in my divorce (dissolution of marriage or civil union), or legal separation.
2. Service of process was made on the defendant in accordance with section 46b-45 of the Connecticut General Statutes as follows: (*"X" all that apply*)
  - Personal (in hand) service of the defendant
  - Service at the defendant's place of abode
    - The address at which service was made is the usual place of abode of the defendant.
    - The defendant was not known by me to be residing, either permanently or temporarily, at any other address at the time service was made.
    - The most recent date on which I had personal knowledge that the defendant resided at the address at which service was made is \_\_\_\_\_ (*date*).
3. There were children born to or adopted by me or the defendant prior to, or during, our marriage or civil union  Yes  No
4. I am currently pregnant  Yes  No
5. The defendant is currently pregnant  Yes  No
6. There is a restraining order or a protective order in effect between the defendant and me  Yes  No
7. I am seeking alimony or spousal support from the defendant  Yes  No
8. The defendant and I have jointly owned property  Yes  No
9. The defendant and I have jointly owned debt  Yes  No

**I attest that the statements in this motion are true to the best of my knowledge and belief.**

Signature	Print name of person signing	Date signed
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State of Connecticut, County of

**ss.**

On this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, the undersigned officer, personally appeared \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained, and swore under oath or affirmed and declared that the information stated on this motion is complete, true, and accurate.

In witness whereof I hereunto set my hand.

Signature of Clerk, Commissioner of Superior Court, or Notary Public	Date Commission Expires:
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**Order**

The court has heard/considered this motion and orders it

- Granted. The time periods set forth in section 46b-67(a) of the Connecticut General Statutes are waived and the matter may proceed without a hearing.
- Granted. The time periods set forth in section 46b-67(a) of the Connecticut General Statutes are waived and a hearing date is scheduled for (*date of hearing*) \_\_\_\_\_ at (*time of hearing*) \_\_\_\_\_
- Denied.

<b>By the court</b>	Signed ( <i>Judge, Assistant Clerk</i> )	Date signed
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