

**UNIFORM FORECLOSURE
STANDING ORDERS**

JD-CV-104 Rev. 4-11

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

- A. Effective September 1, 2009, e-filing of all foreclosure matters was made mandatory for attorneys and firms absent an exclusion from E-Services. All pleadings, motions and documents, with the exception of the Committee Deed, in a foreclosure matter which is a 5 million or 6 million series case must be filed electronically. All documents necessary to obtain Judgment of Foreclosure as set forth in the Uniform Procedures for Foreclosure Judgment Presentation Instructions (JD-CV-78) except original notes, mortgage deeds and assignment of mortgages, must be efiled separately using the appropriate title of the document by 8:00 a.m. on the Friday before the Monday Short Calendar.
- B. The notice "You Are Being Sued and You Are in Danger of Losing Your Property" (JD-CV-103) must be attached as a cover sheet to the top of the Summons and Complaint in all residential foreclosure actions.
- C. The plaintiff's preliminary statement of debt must include the principal, interest, per diem, escrow advances and corporate advances.
- D. Within 10 days following the entry of judgment of strict foreclosure the plaintiff must send a letter by certified mail, return receipt requested, and by regular mail, to all non-appearing defendant owners of the equity and a copy of the notice must be sent to the clerk's office. The letter must contain the following information: a.) the letter is being sent by order of the Superior Court; b.) the terms of the judgment of strict foreclosure; c.) non-appearing defendant owner(s) of equity risk the loss of the property if they fail to take steps to protect their interest in the property on or before the defendant owners' law day; d.) non-appearing defendant owner(s) should either file an individual appearance or have counsel file an appearance in order to protect their interest in the equity. The plaintiff must file the return receipt with the Court. The Plaintiff Must Not File A Certificate Of Foreclosure On The Land Records Before Proof Of Mailing Has Been Filed With The Court.
- E. If the court grants a motion by the plaintiff to open a judgment for the purpose of vacating the judgment due to a loss mitigation initiative with any of the borrowers regarding the mortgage loan, including, without limitation, a repayment plan, and the court requires a withdrawal of action as a condition of granting the motion to open the judgment, the court will retain jurisdiction over the action for the purpose of acting on a motion by the plaintiff to restore the case to the docket. Any motion to restore the case to the docket must be filed within 120 days of the date of the filing of the withdrawal.
- F. At a hearing on a motion to open judgment after bankruptcy in order to set a new sale or law date after receiving relief from the automatic bankruptcy stay, a bankruptcy dismissal or any other bankruptcy order or law that allows the plaintiff to proceed with its foreclosure action, the plaintiff must present to the court an updated affidavit of debt that the court will use to make a new finding of the judgment debt as of the date of the hearing. Additionally, if the last finding made by the court as to the fair market value of the premises is more than 120 days old, then the plaintiff must also present to the court an updated appraisal for the court to make an updated finding of the fair market value of the premises on the date of the hearing.
- G. During the redemption period, the purchaser or the municipality must have a sufficient insurable interest in buildings and improvements upon the property to insure them against fire and other risk of physical loss, and may petition the Superior Court for the appointment of a receiver or for other equitable relief if there is an imminent danger of damage to, or destruction of, the property or imminent danger of injury to persons or to other property resulting from conditions on the property or on adjoining properties.