

Impact of COVID 19 on Pending Litigation in Connecticut

Below is a summary of recent orders of the Connecticut courts that impact pending litigation. If a particular type of proceeding or deadline has not been addressed by a court order, the safer course is to assume that the deadline remains as originally scheduled until you are directed otherwise.

Connecticut Superior Court:

Court Hearings & Trials: The courts of the State of Connecticut are open. However, their operations have been significantly limited. Essentially, the Court is only scheduling and hearing matters that impact a person's welfare, such as criminal, domestic and family matters. The specific directive issued by the Judicial Branch is that, until further notice, only those matters identified as Priority 1 Business Functions will be scheduled and heard by the Court. The Superior Court has identified the following matters as Priority 1 matters:

- Criminal arraignments of defendants held in lieu of bond and all arraignments involving domestic violence cases;
- Juvenile Detention hearings;
- Family orders of relief from abuse;
- Civil orders of relief from abuse
- Civil protection orders
- Ex parte motions (Note- there is no further explanation as to the type of matter that will be adjudicated through an ex parte motion)
- Orders of temporary custody (Juvenile Matters)
- Orders to appear (Juvenile Matters)
- Emergency ex parte order of temporary custody
- Juvenile detention operations for detainees held for juvenile court
- Termination of parental rights
- Domestic violence victim notification
- Civil and family capias mittimus (civil arrest warrants) execution and bond reviews

Civil & Criminal Jury Trials Suspended: With the exception of jury trials already in progress and criminal jury trials necessitated by the filing and granting of a speedy trial motion, all jury trials, civil and criminal, are suspended.

Courtside Civil Trials: Only those matters identified as Priority 1 matters are being heard at this time. However, the Judicial Branch has not yet issued any specific orders or guidance with respect to the cancellation/rescheduling of courtside trials. Litigants should contact the Civil Caseflow Coordinator for the Judicial District in which your case is pending for confirmation and further instructions. [Access the Court Directory Here.](#)

Suspensions/Extensions of Time: Pursuant to Governor Malloy's Executive Order 7g, in order to support the suspension of non-critical court operations, the following statutory requirements have been suspended or extended:

(1) location or venue requirements;

(2) time requirements, statutes of limitation or other limitations or deadlines relating to service of process, court proceedings or court filings; and

(3) all time requirements or deadlines related to the Supreme, Appellate and Superior courts or their judicial officials to issue notices, hold court, hear matters and/or render decisions including, but not limited to, the following:¹

- The 120 day time limitation for rendering judgments in civil actions provided in C.G.S. § 51-183b;
- All time limitations concerning civil process, service and return provided in Chapter 896 of the General Statutes;
- All statutes of limitations provided in Chapter 926 of the General Statutes (e.g. SOL for breach of contract, tort claims, etc.) ;
- All time constraints for the filing of administrative appeals provided in G.S. § 4-183;
- All venue and filing requirements including, but not limited to, C.G.S. §§ 51-345, 51-348, 51-352 and 51-353, provided in Chapter 890 of the General Statutes;
- The times and places for the sitting of the Superior Court provided in G.S. § 51-181; and

¹ Only those impacting (non-family) civil litigation are set forth below. For the complete list of deadlines and time requirements impacted please [Executive Order 7G](#).

- The notice of sessions provided in C.G.S. § 51-182 requiring short calendar).

Appellate & Supreme Courts

Briefing and Filing Deadlines: Initially, all Supreme and Appellate Court briefing deadlines were extended by 30 days. On March 20, the Courts announced that as a result of the Governors Executive Order 7g, all filings are suspended until further notice.

Further due to staff shortage in the Office of the Appellate Clerk, it is requested that no paper briefs be filed until further notice.

Appellate Pre-Argument Conferences: As of March 19, 2020, no appellate pre-argument conferences will be held for the next 30 days.

Appellate Arguments: The Appellate Court has not has not scheduled any cases for the seventh term (April 6-April 24, 2020). Information regarding the scheduling of cases will be posted on the Judicial Branch website as soon as it becomes available.

Supreme Court Arguments: Oral arguments in cases scheduled to have been heard between March 24-April 2, 2020 are suspended. These matters will be heard at a future date and time to be determined.

U.S District Court, District of Connecticut:

Civil Jury Trials: All civil jury trials (or criminal trials) set to commence between now and May 15, 2020 will be continued (delayed) until further order of the Court.

Civil Hearings: All in-court (in-person) civil proceedings scheduled to commence on or before May 15, 2020, before any district or magistrate judge in any courthouse in the District of Connecticut shall be CONTINUED pending further Order of the Court, with the exceptions and under the procedures noted in paragraph 2 below;

During this period, the Court will handle, *in court* and without interruption civil matters requiring a prompt hearing under Fed. R. Civ. P. 65, which addresses temporary restraining orders and preliminary injunctions.

In addition, each district or magistrate judge may, in his or her discretion, choose to handle other matters in court to the extent each judge deems it necessary to do so in the interests of justice.

Each judge will notify the parties through the CM/ECF system as to whether a particular proceeding assigned to that judge and scheduled to occur on or before May 15, 2020, will take place as scheduled and, if so, whether the proceeding will

occur in court or through remote communication (i.e., video or telephone conference).

Clerk's Office: Limited staff will be present at the Clerk's office at each seat of court to accept filings and answer questions from the public during normal business hours.

Access to Courthouses: The District of Connecticut courthouses (including the facilities at 157 Church Street, New Haven) remain open for all other business.

Staff in the Clerk's Office are available by telephone, mail will be received, and intake desks remain open for filings.

Electronic filings may still be made through the CM/ECF system.

Restrictions on Entering Courthouses: The District of Connecticut has now imposed a rule that prohibits anyone who has been to China, Italy, S.Korea, Japan and New Rochelle, NY (other than in a car or train) within the last 14 days from entering any courthouse. That list of locales is subject to change. The order precluding entry into federal courthouse also applies to persons who have come in contact with anyone who has tested positive for Covid-19 within the last 14 days and anyone who has been quarantined.

If you need to visit a courthouse, but are precluded by this order, contact the Clerk's office for assistance. [District Court Telephone Numbers](#)

Bankruptcy Court for the District of Connecticut:

Hearings and Conferences: For the period of March 23, 2020 through April 10, 2020, *unless otherwise ordered by the Court*, all hearings and conferences scheduled to be held in any courthouse in the District of Connecticut will be conducted telephonically, unless a party requests a continuance.

Anyone wishing to appear in-person must file a motion seeking approval to do so.

Evidentiary Hearings and Trials: Parties are directed to contact the Courtroom Deputy in the division of the Court in which the matter scheduled for an evidentiary hearing or trial is pending to determine if the evidentiary hearing or trial will proceed as scheduled.

Automatic Stay: The automatic stay prevents any entity from engaging in any effort to obtain property of a debtor's bankruptcy estate. Because of the Covid-19 crisis, the Bankruptcy Court has ruled that any motion to extend the automatic stay, that was filed on or after February 16, 2020, and remained pending as of March 16, 2020, would be granted through April 10, 2020, pending further order of the Court.

Contested Matter Deadlines: For contested matters pursuant to Local Bankruptcy Rule 9014-1 that remain pending, the Court has extended the Contested Matter Response Date to April 10, 2020, pending further order of the Court.

U.S. Court of Appeals, Second Circuit:

Oral Arguments at the Second Circuit - The regular argued appeals and motions calendars continue to be heard as scheduled. Effective Monday, March 23, 2020 and until the COVID-19 crisis passes, the Court will hear all oral arguments using a teleconference platform. All lawyers and pro se litigants who are scheduled to argue must do so by teleconference. The Clerk's Office will forward teleconference instructions to the lawyers and pro se litigants appearing each argument day. In the alternative, parties may request to submit the appeal for determination.

Extension of Filing Dates & Deadlines: all filing dates and other deadlines set out in the Federal Rules of Appellate Procedure, the Court's Local Rules and the Court's orders are extended or tolled by 21 days, effective today through May 17, 2020.

For example, a notice of appearance or scheduling notification currently due on March 18th is now due on April 8th. A brief currently due on April 15th is now due May 6th. However, a brief due on May 20th continues to be due on May 20th.

Notwithstanding this general extension, a judge or panel may, by separate order, direct the parties to comply with a different filing date as deemed necessary in a particular case.

In addition, in counseled civil cases the automatic dismissal provision in the order that set the original filing date remains in effect.

No Tolling of Deadline to Appeal: The due date for a notice of appeal, petition for review or other document that confers jurisdiction on the Court is *not* affected. The filing dates for those papers remain as stated in the statute or rule that confers jurisdiction.

Additional Resources:

As Connecticut Courts respond to the COVID 19 crisis, they continue to make adjustments to Court operations. Litigants are encouraged to visit Court websites frequently for updates.

In addition, litigants are encouraged to read the full text of the orders summarized here which can be found at the respective court's homepage below:

[Connecticut State Courts](#)

[U.S. District Court, Connecticut](#)

[U.S. Bankruptcy Court, Connecticut](#)

[U.S. Court of Appeals, Second Circuit](#)