

I HAVE MY JUDGMENT – NOW WHAT DO I DO? AN OVERVIEW OF POST-JUDGMENT PROCEDURES

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- I. Postjudgment procedures are generally covered by Connecticut General Statutes §52-350a, *et seq.* We are generally concerned with non-consumer money judgments for purposes of this discussion.
 - A. "**Money judgment**" means a judgment, order or decree of the court calling in whole or in part for the payment of a sum of money, other than a family support judgment. Money judgment includes any such money judgment of a small claims session of the Superior Court, any foreign money judgment filed with the Superior Court pursuant to the general statutes and in IV-D cases, overdue support in the amount of five hundred dollars or more accruing after the entry of an initial family support judgment. Connecticut General Statutes §52-350a(13).
 - B. A money judgment may be enforced against **any property of the judgment debtor** unless the property is exempt from application to the satisfaction of the judgment under section 52-352a, 52-352b, 52-352d or 52-361a, or any other provision of the general statutes or federal law. The money judgment may be enforced, by execution or by foreclosure of a real property lien, to the amount of the money judgment with:

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1. all statutory costs and fees as provided by the general statutes,
 2. interest as provided by chapter 673 on the money judgment and on the costs incurred in obtaining the judgment, and
 3. any attorney's fees allowed pursuant to section 52-400c.
- C. Certain property is exempt and cannot be used to satisfy a money judgment against a **natural person**,³ Connecticut General Statutes §52-352b. This includes:
1. Necessary apparel, bedding, foodstuffs, household furniture and appliances;
 2. Tools, books, instruments, farm animals and livestock feed, which are necessary to the exemptioner in the course of his or her occupation, profession or farming operation;
 3. Burial plot for the exemptioner and his or her immediate family;
 4. Public assistance payments and any wages earned by a public assistance recipient under an incentive earnings or similar program;
 5. Health and disability insurance payments;
 6. Health aids necessary to enable the exemptioner to work or to sustain health;
 7. Workers' compensation, social security, veterans and unemployment benefits;
 8. Court approved payments for child support;
 9. Arms and military equipment, uniforms or musical instruments owned by any member of

³ Not a partnership or other juridical entity, *Shawmut Bank v. Valley Farms*, 222 Conn. 361 (1992).

the militia or armed forces of the United States;

10. One motor vehicle to the value of one thousand five hundred dollars, provided value shall be determined as the fair market value of the motor vehicle less the amount of all liens and security interests which encumber it;
11. Wedding and engagement rings;
12. Residential utility deposits for one residence, and one residential security deposit;
13. Any assets or interests of an exemptioner in, or payments received by the exemptioner from, a plan or arrangement described in section 52-321a;
14. Alimony and support, other than child support, but only to the extent that wages are exempt from execution under section 52-361a;
15. An award under a crime reparations act;
16. All benefits allowed by any association of persons in this state towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business;
17. All moneys due the exemptioner from any insurance company on any insurance policy issued on exempt property, to the same extent that the property was exempt;
18. Any interest of the exemptioner in any property not to exceed in value one thousand dollars; [commonly called the wildcard exemption]
19. Any interest of the exemptioner not to exceed in value four thousand dollars in any accrued dividend or interest under, or loan

value of, any unmatured life insurance contract owned by the exemptioner under which the insured is the exemptioner or an individual of whom the exemptioner is a dependent;

20. The homestead of the exemptioner to the value of seventy-five thousand dollars, or, in the case of a money judgment arising out of services provided at a hospital, to the value of one hundred twenty-five thousand dollars, provided value shall be determined as the fair market value of the real property less the amount of any statutory or consensual lien which encumbers it;
 - a) The proceeds of a voluntary sale of a homestead are not exempt from execution, *In Re: Kujan*, 286 B.R. 216 (2002).
 - b) Does not apply to claims that arose before the October 1, 1993 effective date of the statute, *Gernat v. Belford*, 192 B.R. 601 (1996), affirmed 98 F.3rd 729.
 21. Irrevocable transfers of money to an account held by a *bona fide* nonprofit debt adjuster licensed pursuant to sections 36a-655 to 36a-665, inclusive, for the benefit of creditors of the exemptioner.
- D. Exemptions should be liberally construed in favor of the judgment debtor to effectuate the purposes of the statute, *In Re: Kujan*, 286 B.R. 216 (2002) and *In Re: Caraglor*, 251 B.R. 778 (2000).
- E. There is limited exemptions available to a "farm partnership":⁴

⁴ "Farm partnership" means any partnership primarily engaged in the occupation of farming in which at least fifty per cent of the partners are members of the same family, Connecticut General Statutes §52-352d(a).

1. The farm animals and livestock feed which are reasonably required by a farm partnership in the course of its occupation shall be exempt.
 2. All moneys due the farm partnership from any insurance company on any insurance policy issued on such property shall also be exempt to the same extent that the property was exempt.
- F. The most common way to obtain property is by execution.
- G. When a lien is placed on any property or when any postjudgment paper is served on a third person,⁵ the judgment creditor shall send a copy of the item, together with a statement as to where the lien was filed or on whom the papers were served, to the judgment debtor at his last-known address by first class mail, postage prepaid, Connecticut General Statutes §52-351a.
- H. When a judgment is rendered against a **natural** person, any party may move for an order of periodic payments pursuant to Connecticut General Statutes §52-356d.
1. The court determines the amount of the order of payments.
 - a) The current nominal order of payments is \$35.00 per week, which can be issued *ex parte* and without a hearing.
 - b) After hearing and consideration of the judgment debtor's financial circumstances, the court **may** order installment payments **reasonably calculated to facilitate payment of the judgment**.

⁵ other than a wage execution or property execution levied against property of a natural person.

2. Stays of execution while in compliance with a periodic order of payments Connecticut General Statutes §52-356d(b).
 - a) A stay may not be ordered for complying with a nominal order of payments.
 - b) In the case of a **consumer judgment**, the court may provide that compliance with the installment payment order shall stay:
 - (1) any property execution; or
 - (2) foreclosure.
 - c) A stay must be reasonable considering the nature of the debt and the financial circumstances of the judgment debtor.
3. Failure to comply with a periodic order of payments results in a wage execution; not contempt, Connecticut General Statutes §52-356d(d).

I. Judgments expire, Connecticut General Statutes §52-598.

1. No execution may issue more than twenty years after a judgment is rendered.
2. A judgment may not be renewed more than twenty five years after it is rendered.
3. No execution may issue more than ten years after a small claims judgment is rendered.
4. A small claims judgment may not be renewed more than fifteen years after it is rendered.

II. The bank execution ("financial institution" means any bank, savings bank, savings and loan association or credit union organized, chartered or licensed under the laws of this state or the United States and having

its main office in this state, or any similar out-of-state institution having a branch office in this state.).

- A. Connecticut General Statutes §52-367a governs "non-natural" persons.
1. An execution is issued by the clerk upon the judgment creditor's request.
 2. You have to use the Superior Court's form (federal court has a similar form).
 3. Must be served by a levying officer upon the main office of any financial institution having its main office within the county of the serving officer.
 4. If such main office is not within the levying officer's county and such financial institution has one or more branch offices within such county, upon an employee of such a branch office, such employee and branch office having been designated by the financial institution.
 5. If any such financial institution upon which such execution is served and upon which such demand is made is indebted to the judgment debtor, the financial institution shall remove from the judgment debtor's account the amount of such indebtedness not exceeding the amount due on such execution (together with the Marshal's 15% execution fee).
 6. The financial institution shall immediately pay to such serving officer the amount removed from the judgment debtor's account, which amount shall be received and applied on such execution by such serving officer. Such financial institution shall act upon such execution according to section 42a-4-303 before its midnight deadline. ***There is no delay because this debt cannot be exempt from execution (because only natural persons can have exempt property).***

- a. Failure to pay over the amount seized subjects the financial institution to paying interest, *Ferrato v. Webster Bank*, 67 Conn. App. 588 (2002).
 - b. A financial institution may setoff as long as it does it before its midnight deadline, *Eklof Marine v. American National Bank*, 232 Conn. 167 (1995) and *Normand Josef Enterprises, Inc. v. Connecticut National Bank*, 230 Conn. 486 (1994).
7. If the deposit account is subject to a security interest of a secured party, other than the financial institution upon which such execution is served and upon which such demand is made, pursuant to a control agreement between the financial institution and such secured party under article 9 of title 42a, and if any funds are removed from the judgment debtor's account, the financial institution shall:
 - a. Forthwith mail a copy of the execution to the judgment debtor and to such other secured party.
 - b. The financial institution shall hold the amount removed from the judgment debtor's account for twenty days from the date of the mailing to the judgment debtor and such other secured party, and during such period shall not pay the serving officer.
 - c. To prevent the financial institution from paying the serving officer, such other secured party shall give notice of its prior perfected security interest in such deposit account, by delivering to the clerk of the court that issued the execution a written claim for determination of interests and by delivering a copy of such claim

to the financial institution upon which such execution is served.

(1) If a written claim for determination of interests in property is made, the financial institution shall continue to hold the amount removed from the judgment debtor's account until a court order is received regarding disposition of the funds.

(a) The appeal time for such an order is only seven days, Connecticut General Statutes §52-367a(i).

(b) There is no appellate stay unless ordered by the court.

(2) If no written claim for determination of interests in property is made, the financial institution shall forthwith pay the serving officer the amount removed from the judgment debtor's account.

B. Connecticut General Statutes §52-367b governs natural persons.

1. An execution is issued by the clerk upon the judgment creditor's request. An exemption claim form must also be provided.

2. You have to use the Superior Court's form (federal court has a similar form).

3. Within seven days after receiving the execution (and how is this ever determined?), the serving officer must make demand upon the main office of any financial institution having its main office within the county of the serving officer.

a. If such main office is not within the serving officer's county and such

financial institution has one or more branch offices within such county, upon an employee of such a branch office, such employee and branch office having been designated by the financial institution.

- b. If the officer serving such execution has made an initial demand within the seven-day period, the serving officer may make additional demands upon other financial institutions, provided any such additional demand is made not later than forty-five days from the receipt by the serving officer of such execution.
 - c. This means a debtor with a lot of money at a variety of banks suffers the real possibility more than the judgment amount may be tied up until the court determines the judgment was paid and releases the excess.
4. The financial institution shall remove from the judgment debtor's account the amount of such indebtedness not exceeding the amount due on such execution before its midnight deadline.
- a. if electronic direct deposits that are readily identifiable as exempt federal veterans' benefits, Social Security benefits were made to the judgment debtor's account during the thirty-day period preceding the date that the execution was served on the financial institution, then the financial institution shall leave the lesser of the account balance or one thousand dollars in the judgment debtor's account.
 - b. The financial institution shall hold the amount removed from the judgment debtor's account for fifteen days from the date it mails the execution to the

judgment debtor and any such secured party, and during such period it shall not pay the serving officer.

5. The judgment debtor shall have access to such funds left in the judgment debtor's account.
- C. The entire amount of an account can be used to satisfy the debt owed by a single joint account holder, *Fleet National Bank v. Carillo*, 240 Conn. 343 (1997).
- D. Lottery winnings are now subject to execution, Connecticut General Statutes §52-367c.

III. The personal property execution, Connecticut General Statutes §52-356a.

- A. An execution is issued by the clerk upon the judgment creditor's request. An exemption claim form must also be provided.
 1. In the case of a consumer judgment:
 - a. the application shall indicate whether, pursuant to an installment payment order under Connecticut General Statutes §52-356d(b), the court has entered a stay of execution.
 - b. If such a stay was entered, the application shall contain a statement the debtor defaulted on payments.
 2. In the case of a judgment arising out of services provided at a hospital, no application shall be made until the court has:
 - a. issued an order for installment payments in accordance with Connecticut General Statutes §52-356d,

- b. made a finding that the debtor has defaulted on payments under the order, and
 - c. lifted the mandatory stay issued under Connecticut General Statutes §52-356d.
 - d. The court shall make a determination concerning noncompliance or default, and decide whether to modify the installment payment plan, continue the installment payment plan, or lift the stay.
- B. You have to use the Superior Court's form (federal court has a similar form).
- C. A property execution shall be returned to court within four months after issuance. The untimely return of a property execution more than four months after issuance shall not of itself invalidate any otherwise valid levy made during the four-month period.
- D. The levying officer shall personally serve a copy of the execution on the judgment debtor and make demand for payment by the judgment debtor of all sums due under the money judgment.
- 1. On failure of the judgment debtor to make immediate payment, the levying officer shall levy on nonexempt personal property of the judgment debtor⁶ sufficient to satisfy the judgment, as follows:
 - a. If such nonexempt personal property is in the possession of the judgment debtor, the levying officer shall take such property into his possession as is accessible without breach of the peace (if this is not possible, you should consider a turnover order);

⁶ other than debts due from a banking institution or earnings.

b. With respect to a judgment debtor who is not a natural person, if such personal property, including any debt owed, is in the possession of a third person, the levying officer shall serve that person with a copy of the execution and that person shall forthwith deliver the property or pay the amount of the debt due or payable to the levying officer, provided, if the debt is not yet payable, payment shall be made when the debt matures if within four months after issuance of the execution;

(1) This means there is a four month period for a personal property execution to be valid **after service**.

(2) The property is immediately turned over because a juridical entity does not have exemptions to an execution.

c. With respect to a judgment debtor who is a natural person, if such personal property, including any debt owed, is in the possession of a third person, the levying officer shall serve that person with two copies of the execution, required notices and claim forms.

(1) On receipt of such papers, the third person shall forthwith mail a copy thereof postage prepaid to the judgment debtor at the last-known address of record with the third person and shall withhold delivery of the property or payment of the debt due to the levying officer or any other person for twenty days.

(2) On expiration of the twenty days, the third person shall forthwith

deliver the property or pay the debt to the levying officer provided:

- (a) if an exemption claim has been filed in accordance with Connecticut General Statutes §52-361b(d), the property shall continue to be withheld subject to determination of the claim, and
- (b) if a debt is not yet payable, payment shall be made when the debt matures if within four months after issuance of the execution.

- E. Payment by the third party debtor discharges the debt owed from the third party debtor to the judgment debtor, Connecticut General Statutes §52-356a(a)(5).
- F. If the levying officer cannot remove any property on which he seeks to levy without the danger of injury thereto, he may levy on and take possession of the property by posting on or adjacent to the property a conspicuous notice of the levy.
- G. Unless the proceeds of the execution is money, the personal property must be sold by the levying officer, Connecticut General Statutes §52-356a(b).
 - 1. The sale shall be held at such time and place and in such manner as is **commercially reasonable**. The problem is people will disagree after the fact about what is commercial reasonable.
 - 2. The sale shall be subject to any secured interests and liens that are senior in right to the execution. This means you want to do a UCC search before the personal property is seized. Don't forget you have to pay for

storage charges after seizure and before the sale.

3. The property shall be present and within view of those attending the sale unless otherwise ordered by the court.
4. Twenty days notice (unless shortened by court order) of the time and place of sale and of the name and address of the levying officer shall be:
 - a. sent by first class mail, postage prepaid, to the judgment debtor and to each holder of a lien or other secured interest in the property at their last-known addresses and
 - b. posted in the office of the town clerk in the town where the property is to be sold.
5. The judgment creditor or levying officer may advertise in the legal or classified advertising section of any publication and recover any reasonable costs therefor.
6. The judgment debtor may advertise the sale at its own expense.
7. Sale proceeds shall be distributed as follows:
 - a. to all reasonable and necessary costs of sale;
 - b. to other legal costs of levy including the levying officer's fees of five per cent of the amount realized;
 - c. to pay the judgment creditor pursuant to the judgment under which the sale was held or the money received;
 - d. to pay any subordinate secured parties or lienors who make a written demand to the levying officer prior to the sale,

according to their respective interests, and to any other judgment creditors presenting an execution to the levying officer, in the order of presentation; and

e. to the judgment debtor.

H. Any levy commenced prior to the expiration of the levying officer's term of office may be completed notwithstanding the expiration of that term.

IV. Judgment Liens

A. Personal Property liens, Connecticut General Statutes §52-355a.

1. May not be used concerning consumer judgments.⁷
2. Are filed with the Connecticut Secretary of State in the same manner and form as security interests.
3. They must contain the following information:
 - a. Be signed by the judgment creditor or his attorney or personal representative;
 - b. state the names and last-known addresses of the judgment creditor and judgment debtor, the court in which and the date on which the judgment was rendered, and the original amount of the money judgment and the amount due thereon;

⁷ Consumer judgment means a money judgment of less than five thousand dollars against a natural person resulting from a debt or obligation incurred primarily for personal, family or household purposes, Connecticut General Statutes §52-350a.

- c. describe the personal property on which the lien is to be placed; and
 - d. state the lien is filed with the Connecticut Secretary of State.
 - 4. Any judgment lien shall be effective, in the same manner and to the same extent as a similar security interest under the provisions of title 42a, for five years from the date of filing.
 - 5. In light of the new UCC 9 filing regime:
 - a. the judgment lien shall be filed as if the debtor were located in this state.
 - b. If the judgment debtor is not located in this state, the judgment lien shall be effective only as to the **debtor's tangible personal property that is located in this state.**
 - 6. The judgment creditor has no right to take possession of the personal property in question, absent a turnover order or execution.
 - a. Without a right to possession, there was no action for conversion. This effectively eviscerated the effect of a personal property lien, *see Fleet National Bank v. Narco Finishing, Inc.*, 2001 Conn. Super. LEXIS 1222 (2001).
 - b. This was legislatively overturned, Connecticut General Statutes §52-355a(c), effective October 1, 2003 by P.A. 03-62 §24.
- B. Real Property liens, Connecticut General Statutes §52-380a.
 - 1. A judgment lien securing the unpaid amount of any money judgment⁸ may be placed on any

⁸ including interest and costs.

real property by recording, in the town clerk's office in the town where the real property lies, a judgment lien certificate.

- a. signed by the judgment creditor or his attorney or personal representative;
 - b. a statement of the names and last-known addresses of the judgment creditor and judgment debtor;
 - c. the court in which and the date on which the judgment was rendered;
 - d. the original amount of the money judgment and the amount due thereon;
 - e. a description, which need not be by metes and bounds, of the real property on which a lien is to be placed;
 - f. a statement that the lien has been placed on such property; and
 - g. a statement indicating where the lien was filed.
2. A judgment lien placed within four months after judgment relates back to an attachment if it contains substantially the following: "This lien is filed within four months after judgment in the action was rendered and relates back to an attachment of real property recorded on (month) (day) (year), at Volume _____ Page _____ of the _____ land records." Connecticut General Statutes §52-380a(b).
 3. A judgment lien on real property may be foreclosed or redeemed in the same manner as mortgages on the same property, Connecticut General Statutes §52-380a(c).

C. The Connecticut appellate stay does not prevent:⁹

⁹ *All Seasons v. Guildner*, 89 Conn. App. 781 (2005).

1. Filing a judgment lien.
2. Filing postjudgment interrogatories.
3. Examining the judgment debtor.

V. Turnover orders

- A. A judgment creditor may apply to the court for an order in aid of the execution directing the transfer to the levying officer of either or both of the following (Connecticut General Statutes §52-356b(a)):
 1. Possession of specified personal property that is sought to be levied on; or
 2. possession of documentary evidence of title to property of, or a debt owed to, the judgment debtor that is sought to be levied on.
 - B. It is no longer necessary for an execution to be outstanding.
 - C. The order can be directed to the debtor or a third party. If it is directed to a third party, it must be personally served upon them.
 - D. The order must contain a notice that failure to comply therewith may subject the person served to being held in contempt of court, Connecticut General Statutes §52-356b(d).
 - E. The court has the power to determine anyone's interest in personal property, Connecticut General Statutes §52-356c.
 1. Must be made:
 - a. Within twenty days of the service of an execution; or
 - b. When an application for a turnover order is made.
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2. The determinations is made within the context of the original proceeding, Connecticut General Statutes §52-356c(b).
3. While the determination is pending, the person holding the property shall continue to hold it.
4. The application must be made on the court form and must describe the personal property, Connecticut General Statutes §52-356c(b).
5. The court has the discretion to:
 - a. require the judgment creditor to post a bond in favor of a third person claimant for any damages which may accrue as a result of the outstanding execution and any subsequent proceedings,
 - b. on substitution by the third person of a bond as security for the property, allow the third person to obtain release of the property pending determination of the claim, or
 - c. direct that other known nonexempt property of the judgment debtor first be executed against (in effect, marshalling).

VI. Charging orders

- A. These do not exist under Connecticut's postjudgment statute, but exist under various model acts:
 1. Uniform Limited Partnership Act, Connecticut General Statutes §34-30.
 2. Connecticut Limited Liability Company Act, Connecticut General Statutes §34-171.

3. Uniform Partnership Act-Limited Liability Partnerships, Connecticut General Statutes §34-349.
- B. They place a lien on a partner's interest in the business entity at hand.
 - C. The partner's share of the profits are diverted to the judgment creditor, *Madison Hills Limited Partnership II v. Madison Hills, Inc.*, 35 Conn. App. 81 (1994).
 - D. An execution may not be used to the same purpose (which would only reach 4 months worth of profits or force a sale of the interest at public auction), *Madison Hills Limited Partnership II v. Madison Hills, Inc.*, 35 Conn. App. 81 (1994).
 - E. The judgment creditor does not become a full member of the entity at issue, *Madison Hills Limited Partnership II v. Madison Hills, Inc.*, 35 Conn. App. 81 (1994).

VII. Discovery

- A. State.
 1. Postjudgment interrogatories, Connecticut General Statutes §52-351b:
 - a. Which can be directed to:
 - (1) The judgment debtor; or
 - (2) Any third person believed in good faith to have the assets of the judgment debtor.
 - b. They must be on the court form.
 - c. The respondent need only disclose those assets "clearly sufficient in value" to satisfy the judgment.
 - d. If there is no response to the postjudgment interrogatories, the

judgment creditor may move the court for such supplemental discovery orders as may be necessary to ensure disclosure including (Connecticut General Statutes §52-351b(c)):

- (1) an order for compliance with the interrogatories or
- (2) an order authorizing additional interrogatories.

e. Any person who does not answer the postjudgment interrogatories can be examined without further order from the court. This is the most common route.

2. Examination of the judgment debtor.

a. There are two alternative prerequisites to examining a judgment debtor (Connecticut General Statutes §52-397):

- (1) An execution must have been returned unsatisfied; *OR*
- (2) The debtor fails to disclose sufficient assets to satisfy the judgment within thirty days.

b. A judgment creditor must apply for the examination on the court's form.

c. A subpoena (either with or without documents) must be served on the judgment debtor to compel the judgment debtor to appear at the examination.

B. Federal

1. Generally speaking, execution is in accordance with state court procedures (Federal Rule of Civil Procedure 69).

2. Postjudgment discovery follows the Federal Rules of Civil Procedure or the Connecticut rules, meaning:

- a. Depositions are allowed, FCRP 27 (note subpoenas may be issued in any districts without applying for a commission or requiring you to be admitted to practice law in that jurisdiction).
 - b. Interrogatories to the parties are allowed, FRCP 33.
 - c. Requests for production to the parties are allowed, FRCP 34.
3. Federal judgments can be easily registered in another district court, 28 U.S.C. §1963.

BANK EXECUTION

“UN-
NATURAL
PERSON”

**FINANCIAL INSTITUTION EXECUTION
PROCEEDINGS - JUDGMENT DEBTOR
WHO IS NOT A NATURAL PERSON,
APPLICATION AND EXECUTION**

JD-CV-24N Rev. 1-04 C.G.S. 52-367a,
P.A. 03-62, sec. 22, P.A. 03-224 sec. 12

**STATE OF CONNECTICUT
SUPERIOR COURT**

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(See page 2 for instructions to financial institution)



INSTRUCTIONS - JUDGMENT CREDITOR OR ATTORNEY

1. Type or print legibly.
2. Complete the application section; prepare original and 2 copies.
3. Present original and 1 copy to clerk of court. Retain a copy.

INSTRUCTIONS - CLERK

1. Check the file to ensure that the information provided on the application is correct.
2. Sign original execution.
3. Return original to applicant, retain a copy for file.

APPLICATION	ADDRESS OF COURT		<input type="checkbox"/> JUDICIAL DISTRICT	DOCKET NO.
			<input type="checkbox"/> HOUSING SESSION <input type="checkbox"/> G.A. _____	
	NAME AND MAILING ADDRESS OF JUDGMENT CREDITOR OR ATTORNEY <i>(To be completed by Judgment Creditor)</i>			
	NAME(S) AND ADDRESS(ES) OF JUDGMENT CREDITOR(S)			
	NAME(S) AND ADDRESS(ES) OF JUDGMENT DEBTOR(S)			
DATE OF JUDGMENT	1. AMOUNT OF JUDGMENT <i>(Include, where applicable, prejudgment interest and attorney's fees)</i>	2. AMOUNT OF COSTS	3. AMOUNT OF JUDGMENT, COSTS AND FEES <i>(Add 1 and 2)</i>	
4. TOTAL AMOUNT PAID <i>(If any)</i>	5. TOTAL AMOUNT UNPAID <i>(Subtract 4 from 3)</i>	6. APPLICATION FEE FOR FINANCIAL INSTITUTION EXECUTION <i>(If not waived by the court)</i>		
7. OTHER COURT ORDERED POSTJUDGMENT COSTS AND FEES		8. TOTAL OF ITEMS 5, 6 AND 7		
SIGNED <i>(Judgment Creditor or Attorney)</i>		DATE SIGNED	TELEPHONE NO.	

FINANCIAL INSTITUTION EXECUTION

TO ANY PROPER OFFICER,

Whereas on said Date of Judgment the above-named Judgment Creditor(s) recovered judgment against the above-named Judgment Debtor(s) before the above-named court for the amount of judgment, costs and fees stated above, as appears of record, whereof execution remains to be done. These are, therefore, BY AUTHORITY OF THE STATE OF CONNECTICUT TO COMMAND YOU:

Make demand upon the main office of any financial institution having its main office within your county, or if such main office is not within your county and such financial institution has one or more branch offices within your county, upon an employee of such a branch office, such employee and such branch office having been designated by the financial institution in accordance with regulations adopted by the commissioner of banking, for payment to you of any debt due said Judgment Debtor(s), which sum shall not exceed the total unpaid judgment, costs and fees as stated above, plus post judgment interest on the unpaid amount of said judgment, from its date until the time when this execution shall be satisfied, plus the application fee and other court ordered post- judgment costs and fees and your own fees. Said sum shall be received by you and applied on this execution. After having made such demand you are directed to serve a true and attested copy hereof, with your doings thereon endorsed, with the financial institution officer upon whom such demand was made.

HEREOF FAIL NOT, AND MAKE DUE RETURN OF THIS WRIT WITH YOUR DOINGS THEREON, ACCORDING TO LAW.

<i>For Court Use Only</i>

SIGNED <i>(Assistant Clerk)</i>	DATE SIGNED
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NOTE: The provisions of section 52-367a, as amended from time to time, take precedence over these instructions.

**INSTRUCTIONS TO FINANCIAL INSTITUTION UPON RECEIPT OF A FINANCIAL
INSTITUTION EXECUTION WHEN JUDGMENT DEBTOR IS NOT A NATURAL PERSON**

1. You must remove from the judgment debtor's account the amount of any debts due from you to the judgment debtor not exceeding the Total Amount Unpaid as appears on page 1 of this form, plus interest and the Application Fee for Financial Institution Execution and court ordered postjudgment costs or fees and the serving officer's fee.
2. Except as provided in #4 below, you must immediately pay to the serving officer the amount removed from the judgment debtor's account. Nothing herein shall be construed to affect any other rights or obligations of the financial institution with regard to the funds in the judgment debtor's account.
3. You must act on this execution according to section 42a-4-303 of the general statutes, before your midnight deadline.
4. If the deposit account is subject to a security interest of a secured party, other than you, pursuant to a control agreement between you and such secured party under article 9 of title 42a, and if any funds removed from the judgment debtor's account pursuant to subsection (c) of section 52-367a of the general statutes you shall forthwith mail a copy of the execution when received from the serving officer, postage prepaid, to the judgment debtor and to such other secured party at the last known address of such parties with respect to the affected accounts on your records. You shall hold the amount removed from the judgment debtor's account for twenty days from the date of the mailing to the judgment debtor and such other secured party, and during such period you shall not pay the serving officer. Such other secured party shall give notice of its prior perfected security interest in such deposit account, by delivering to the clerk of the court that issued the execution a written claim for determination of interests in property pursuant to section 52-365c and by delivering a copy of such claim to the financial institution upon which such execution is served.
5. If a written claim for determination of interests in property is made pursuant to subsection (e) of section 52-367a of the general statutes, you shall continue to hold the amount removed from the judgment debtor's account until a court order is received regarding disposition of the funds. If no written claim for determination of interests in property is made you shall, upon demand, forthwith pay the serving officer the amount removed from the judgment debtor's account, and the serving officer shall thereupon pay such sum, less such serving officer's fees, to the judgment creditor, except to the extent otherwise ordered by a court.

BANK
EXECUTION
NATURAL
PERSON
&
EXEMPTION
FORM

**FINANCIAL INSTITUTION EXECUTION
PROCEEDINGS - JUDGMENT DEBTOR
WHO IS A NATURAL PERSON,
APPLICATION AND EXECUTION**

JD-CV-24 Rev. 12-03 C.G.S. 52-367b, P.A. 03-62,
sec. 23, P.A. 03-224 sec. 13, P.A. 03-266 sec. 10

**STATE OF CONNECTICUT
SUPERIOR COURT**

www.jud.state.ct.us

(See page 2 for instructions to financial institution)



INSTRUCTIONS - JUDGMENT CREDITOR OR ATTORNEY

1. Type or print legibly.
2. Complete the application section; prepare original and 2 copies.
3. Complete section 1 of the Exemption Claim Form, JD-CV-24a and attach to this form.
4. Present original and 1 copy to clerk of court. Retain a copy.

INSTRUCTIONS - CLERK

1. Check the file to ensure that the information provided on the application is correct.
2. Sign original execution.
3. Return original to applicant, retain a copy for file.

ADDRESS OF COURT		<input type="checkbox"/> JUDICIAL DISTRICT	DOCKET NO.
		<input type="checkbox"/> HOUSING SESSION <input type="checkbox"/> G.A. _____	
NAME AND MAILING ADDRESS OF JUDGMENT CREDITOR OR ATTORNEY <i>(To be completed by Judgment Creditor)</i>			
NAME(S) AND ADDRESS(ES) OF JUDGMENT CREDITOR(S)			
NAME(S) AND ADDRESS(ES) OF JUDGMENT DEBTOR(S)			
DATE OF JUDGMENT	1. AMOUNT OF JUDGMENT <i>(Include, where applicable, prejudgment interest and attorney's fees)</i>	2. AMOUNT OF COSTS	3. AMOUNT OF JUDGMENT, COSTS AND FEES <i>(Add 1 and 2)</i>
4. TOTAL AMOUNT PAID <i>(If any)</i>	5. TOTAL AMOUNT UNPAID <i>(Subtract 4 from 3)</i>	6. APPLICATION FEE FOR FINANCIAL INSTITUTION EXECUTION <i>(If not waived by the court)</i>	
7. OTHER COURT ORDERED POSTJUDGMENT COSTS AND FEES		8. TOTAL OF ITEMS 5, 6 AND 7	
IS THIS A JUDGMENT ARISING OUT OF SERVICES RENDERED AT A HOSPITAL? <input type="checkbox"/> NO <input type="checkbox"/> YES			
IF THIS IS A JUDGMENT ARISING OUT OF SERVICES RENDERED AT A HOSPITAL, HAS A STAY OF A FINANCIAL INSTITUTION EXECUTION BEEN ENTERED PURSUANT TO AN INSTALLMENT PAYMENT ORDER? <input type="checkbox"/> NO <input type="checkbox"/> YES			
IF A STAY OF A FINANCIAL INSTITUTION EXECUTION HAS BEEN ENTERED, HAS THE JUDGMENT DEBTOR DEFAULTED ON AN INSTALLMENT PAYMENT ORDER? <input type="checkbox"/> NO <input type="checkbox"/> YES <i>(Specify):</i> _____			
SIGNED <i>(Judgment Creditor or Attorney)</i>		DATE SIGNED	TELEPHONE NO.

Fold | APPLICATION

FINANCIAL INSTITUTION EXECUTION

TO ANY PROPER OFFICER,

Whereas on said Date of Judgment the above-named Judgment Creditor(s) recovered judgment against the above-named Judgment Debtor(s) before the above-named court for the amount of judgment, costs and fees stated above, as appears of record, whereof execution remains to be done. These are, therefore, BY AUTHORITY OF THE STATE OF CONNECTICUT TO COMMAND YOU:

Within seven days from your receipt of this execution, make demand upon the main office of any financial institution having its main office within your county, or if such main office is not within your county and such financial institution has one or more branch offices within your county, upon an employee of such a branch office, such employee and such branch office having been designated by the financial institution in accordance with regulations adopted by the commissioner of banking, for payment to you pursuant to section 52-367b(b) of the general statutes of any nonexempt debt due said Judgment Debtor(s), which sum shall not exceed the total unpaid judgment, costs and fees as stated above, plus post judgment interest on the unpaid amount of said judgment from its date until the time when this execution shall be satisfied, plus the application fee and other court ordered postjudgment costs and fees and your own fee. After having made such demand you are directed to serve a true and attested copy of this execution, together with the attached affidavit and exemption claim form, with your doings endorsed thereon, with the financial institution officer upon whom such demand was made. Said sum shall be received by you and applied on this execution in accordance with the provisions of section 52-367b of the general statutes. If you have made an initial demand within the seven-day period, you may make additional demands on the main office of other financial institutions or employees of other branch offices as directed herein, provided any such additional demand is made not later than forty-five days from your receipt of this execution.

For Court Use Only

HEREOF FAIL NOT, AND MAKE DUE RETURN OF THIS WRIT WITH YOUR DOINGS THEREON, ACCORDING TO LAW.

SIGNED <i>(Assistant Clerk)</i>	DATE SIGNED
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NOTE: The provisions of section 52-367b, as amended from time to time, take precedence over these instructions.

INSTRUCTIONS TO FINANCIAL INSTITUTION UPON RECEIPT OF A FINANCIAL INSTITUTION EXECUTION WHEN JUDGMENT DEBTOR IS A NATURAL PERSON

1. If any funds are removed from the judgment debtor's account pursuant to subsection (c) of section 52-367b of the general statutes, complete section II of the accompanying Exemption Claim Form (JD-CV-24a) and send, forthwith, 2 copies of both this form and the Exemption Claim Form to the judgment debtor and to any secured party that is a party to a control agreement between you and such secured party under article 9 of title 42a of the general statutes, postage pre-paid, at the last known address of the judgment debtor and of any such secured party with respect to the affected accounts on the records of your institution.
2. Remove from the judgment debtor's account the amount of any debts due from you to the judgment debtor not exceeding the Total Amount Unpaid as appears on page 1 of this form plus interest and the Application Fee for Financial Institution Execution and other court ordered postjudgment costs or fees and the serving officer's fee, before your midnight deadline, as defined in section 42a-4-104 of the general statutes. If electronic direct deposits that are readily identifiable as exempt federal veterans' benefits, social security benefits, including, but not limited to, retirement, survivors' and disability benefits, supplemental security income benefits or child support payments processed and received pursuant to Title IV-D of the Social Security Act were made to the judgment debtor's account during the thirty-day period preceding the date that the execution was served on you, you shall leave the lesser of the account balance or one thousand dollars in the judgment debtors' account; provided nothing in this subsection shall be construed to limit your right or obligation to remove such funds from the debtor's account if required by any other provision of law or by a court order. The judgment debtor shall have access to such funds left in the judgment debtor's account. You may notify the judgment creditor that funds have been left in the judgment debtor's account pursuant to this provision. Nothing herein shall alter the exempt status of funds which are exempt from execution under subsection (a) of section 52-367b of the general statutes or under any other provision of state or federal law, or the right of a judgment debtor to claim such exemption. Nothing herein shall be construed to affect any other rights or obligations of the financial institution with regard to the funds in the judgment debtor's account.
3. You must hold the amount removed from the judgment debtor's account pursuant to this execution for fifteen days from the date you mail the copies of this form and the Exemption Claim Form to the judgment debtor and any secured party. During such fifteen day period you must not pay the officer serving this execution.
4. If the judgment debtor returns the Exemption Claim Form or other written notice that an exemption is being claimed, and if any secured party delivers to you written notice of such secured party's claim of a prior perfected security interest in such deposit account, you must, within two business days of receipt of such notice, send a copy of such notice to the clerk of the court which issued the execution. You must continue to hold the amount removed from the judgment debtor's account for forty-five days or until a court order is received regarding disposition of the funds, whichever occurs earlier. If no order is received within forty-five days of the date you send a copy of the Exemption Claim Form or notice of exemption or a secured party claim notice to the clerk of the court, you must return the funds to the judgment debtor's account.
5. If you do not receive a claim of exemption or secured party claim notice within fifteen days of the mailing to the judgment debtor and any secured party of the execution and Exemption Claim Form you must, upon demand, forthwith pay the serving officer the amount removed from the judgment debtor's account.
6. If no exemption claim or secured party claim notice is filed or if the court orders you to pay the serving officer an amount removed from the judgment debtor's account not exceeding the amount due on the execution and you fail or refuse to do so, you shall be liable in an action therefor to the judgement creditor(s) named in the execution for the amount of nonexempt monies which you fail or refuse to pay over. If no exemption claim is filed or if the court orders you to pay the serving officer an amount removed from the judgment debtor's account not exceeding the amount due on the execution and you fail or refuse to do so, you shall be liable in an action therefor to the judgment creditor(s) name in the execution for the amount of nonexempt monies which you fail or refuse to pay over, excluding funds of up to one thousand dollars which you in good faith allowed the judgment debtor to access pursuant to subsection (c) of section 52-367b of the general statutes.
7. If you pay exempt monies from the account of the judgment debtor contrary to these instructions, or the provisions of section 52-367b of the general statutes, you shall be liable in an action therefor to the judgment debtor for any exempt monies so paid. If you pay exempt monies from the account of the judgment debtor contrary to these instructions, or the provisions of section 52-367b of the general statutes, you shall be liable in an action therefor to the judgment debtor for any exempt monies so paid and you shall refund or waive any charges of fees by you, including, but not limited to, dishonored check fees, overdraft fees or minimum balance service charges and legal process fees, which were assessed as a result of such payment of exempt monies.

**EXEMPTION CLAIM FORM
BANK EXECUTION**

**STATE OF CONNECTICUT
SUPERIOR COURT**

JD-CV-24a Rev. 4-97
C.G.S. 31-58(j), 52-321a, 52-350a, 52-352b, 52-361a,
52-367b, 29 U.S.C. 206(a)(1)

NAME AND ADDRESS OF JUDGMENT DEBTOR OR ATTORNEY (To be completed by plaintiff)

TO: [] []
[] []

SECTION I (To be completed by plaintiff)

Judicial District Housing Session G.A. No. _____

NAME AND ADDRESS OF COURT (No., Street, Town and Zip Code)

NAME OF JUDGMENT DEBTOR

DOCKET NO.

SECTION II (To be completed by banking institution - see instructions on page 2)

NAME AND ADDRESS OF BANKING INSTITUTION TO WHICH EXEMPTION CLAIM (IF ANY) IS TO BE RETURNED

DATE OF MAILING TO JUDGMENT DEBTOR

DESCRIPTION OF ACCOUNT(S) AND AMOUNT(S) REMOVED PURSUANT TO EXECUTION

SECTION III NOTICE TO JUDGMENT DEBTOR

As a result of a judgment entered against you, the attached execution has been issued against funds deposited by you in the banking institution named above. In compliance with this execution, the banking institution has removed from the account(s) enumerated above the amount of money indicated above.

THE MONEY IN YOUR ACCOUNT(S) MAY BE EXEMPT FROM EXECUTION - The money in your account(s) may be protected from execution by state statutes or by other laws or regulations of this state or of the United States. A checklist and a description of the exemptions established by law are set forth on the page 2.

HOW TO CLAIM AN EXEMPTION ESTABLISHED BY LAW - If you wish to claim that the money in your account(s) is exempt by law from execution, you must fill out and sign before a proper official the Affidavit of Claim of Exemption below and mail or deliver this exemption claim form to the banking institution at the above address. This form must be received by the banking institution no later than 15 days from the DATE OF MAILING TO THE JUDGMENT DEBTOR indicated above.

Upon receipt of this form the bank will forward it to the Superior Court and the court clerk will notify you and the judgment creditor of the date on which a hearing will be held by the court to determine the issues raised by your claim.

SECTION IV AFFIDAVIT OF CLAIM OF EXEMPTION ESTABLISHED BY LAW

I, the judgment debtor named above, hereby claim and certify under the penalty of false statement that the money in the above account(s) is exempt by law from execution as follows:

ACCOUNT NUMBER	DESCRIBE CLAIMED EXEMPTION ESTABLISHED BY LAW
AMOUNT CLAIMED TO BE EXEMPT	

ACCOUNT NUMBER	DESCRIBE CLAIMED EXEMPTION ESTABLISHED BY LAW
AMOUNT CLAIMED TO BE EXEMPT	

Additional sheet(s) attached hereto and made a part hereof (if necessary).

SIGNED (Individual attorney or pro se party) X	DATE SIGNED	STATE OF CONNECTICUT, COUNTY OF _____ } SS
COMPLETE MAILING ADDRESS OF JUDGMENT DEBTOR		SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 19 _____
TELEPHONE NO.	SIGNED (Notary Public, Commissioner of Superior Court) X	

CHECKLIST AND DESCRIPTION OF EXEMPTIONS ESTABLISHED BY LAW

1. Public Assistance payments and any wages earned by a public assistance recipient under an incentive earnings or similar program. (C.G.S. 52-352b(d))
2. Health and disability insurance payments. (C.G.S. 52-352b(e))
3. Worker's Compensation, social security, veterans and unemployment benefits. (C.G.S. 52-352b(g))
4. Court approved payments for child support. (C.G.S. 52-352b(h))
5. Any assets or interests of a judgment debtor in, or payments received by the judgment debtor from, a plan or arrangement described in C.G.S. 52-321a. (C.G.S. 52-352b(m))
6. Alimony and support, other than child support, but only to the extent that wages are exempt from execution under section 52-361a*. (C.G.S. 52-352b(n))
7. An award under a crime reparations act. (C.G.S. 52-352b(o))
8. All benefits allowed by any association of persons in this state towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business; and all monies due the debtor from any insurance company upon any insurance policy issued on exempt property, to the same extent that the property was exempt. (C.G.S. 52-352b(p), (q))
9. Any interest of the judgment debtor in any property not to exceed in value one thousand dollars. (C.G.S. § 52-352b(r))
10. Irrevocable transfers of money to an account held by a bona fide nonprofit debt adjuster licensed pursuant to sections 36a-655 to 36a-665, inclusive, of the general statutes for the benefit of creditors of the judgment debtor. (C.G.S. 52-352b(u))
11. There may be other laws or regulations of this state or of the United States which set forth additional exemptions.

*The following is that part of C.G.S. 52-361a which denotes what portion of wages is exempt from execution:

The maximum part of the aggregate weekly earnings of an individual which may be subject to levy or other withholding for payment of a judgment is the lesser of (1) twenty-five per cent of his disposable earnings for that week, or (2) the amount by which his disposable earnings for that week exceed forty times the higher of (A) the minimum hourly wage prescribed by Section 6(a)(1) of the Fair Labor Standards Act of 1938, U.S.C. tit. 29, Section 206(a)(1), or (B), the full minimum fair wage established by subsection (j) of Section 31-58, in effect at the time the earnings are payable.

C.G.S. 52-350a(4) defines "disposable earnings" as that part of the earnings of an individual remaining after the deduction from those earnings of amounts required to be withheld for payment of federal income and employment taxes, normal retirement contributions, union dues and initiation fees, group life insurance premiums, health insurance premiums, federal tax levies, and state income tax deductions authorized pursuant to C.G.S. 12-34b.

INSTRUCTIONS

TO BANKING INSTITUTION

1. Complete section II of this form and send 2 copies of this form and the bank execution form to the judgment debtor pursuant to section 52-367b of the General Statutes.
2. If this claim of exemption is returned completed, fill out section V of this form and mail, within two business days, to the issuing clerk's office at the address of court indicated on the front side. See additional instructions on the bank execution, form.

TO CLERK

1. Attach this form to each bank execution issued in a civil or family matter against a judgment debtor that is a natural person.
2. Deliver the execution along with this form to the judgment creditor requesting the execution.
3. If judgment debtor completes and returns this form claiming an exemption, enter the appearance of the judgment debtor with address set forth on page 1.
4. Set matter down for short calendar hearing.
5. Complete section VI below.
6. Send file-stamped copy of this form to judgment debtor and judgment creditor.
7. After hearing, send copy of any order entered to the banking institution.

SECTION V (To be completed by banking institution upon return of exemption claim form)

DATE CLAIM RECEIVED	DATE MAILED TO COURT	NAME OF BANK OFFICER	TELEPHONE NO.
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SECTION VI NOTICE TO JUDGMENT DEBTOR AND JUDGMENT CREDITOR

The assets in dispute are being held for (1) forty-five days from the date the exemption claim form was received by the banking institution designated on the front of this form or (2) until disposition is ordered by the court at a hearing to be held at short calendar on the date set forth below, whichever occurs earlier.

DATE OF HEARING	TIME OF HEARING <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.	SIGNED (Assistant Clerk)	DATE SIGNED
-----------------	---	--------------------------	-------------

ORDER AFTER HEARING

The Court/Magistrate, having held a hearing to determine the issues raised by this claim, hereby orders that:

SIGNED (Judge/Magistrate)	DATE SIGNED
---------------------------	-------------

MOTION
FOR
CHARGING
ORDER

Caption

EX PARTE MOTION FOR CHARGING ORDER

Plaintiff *Plaintiff* moves for a charging order to enter against Defendant *Defendant*'s interest in the partnership known as *Partnership*. Plaintiff further requests a temporary restraining order enter against *Defendant* and *Partnership* to prevent them from taking any actions which would defeat the effectiveness of the charging order before the court rules upon this application.

PLAINTIFF
PLAINTIFF

By _____
, Esq. for
BROWN & WELSH, P.C.
530 Preston Avenue
P.O. Box 183
Meriden, Connecticut 06450-0183
(203) 235-1651
FAX: (203) 235-9600
Juris # 100074
_____ Attorneys

CHARGING ORDER

After the foregoing came on for a hearing,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

1. The interest of *Defendant* in the partnership known as *Partnership* is charged with payment of the unsatisfied amount of the judgment debt herein and also with costs and interest.

2. The partnership is directed to pay Plaintiff *Plaintiff* present and future shares of any and all distributions, credits, drawings, or payments due to Defendant *Defendant* until the judgment is satisfied in full, including interest and costs.

3. Until said judgment is satisfied in full, including interest and costs, the partnership shall make no loans to any partner or anyone else.

4. Until said judgment is satisfied in full, including interest and costs, the partnership shall make no capital acquisitions without either Court approval or approval of Plaintiff *Plaintiff*.

5. Until said judgment is satisfied in full, including interest and costs, neither the partnership nor its members

shall undertake, enter into, or consummate any sale, encumbrance, hypothecation, or modification of any partnership interest without either Court approval or approval of Plaintiff *Plaintiff*.

6. Within ten days of service of a certified copy of this Order upon any general partner of the partnership, the partnership shall supply to Plaintiff *Plaintiff* a full, complete, and accurate copy of the Partnership Agreement, including any and all amendments or modifications thereto; true, complete, and accurate copies of any and all Federal and State income tax or informational income tax returns filed within the past two years; balance sheets and profit and loss statements for the past two years; and balance sheet and profit and loss statement for the most recent present period for which same has been computed. Further, upon ten-day notice from the Plaintiff to the partnership, all books and records shall be produced for inspection, copying, and examination in the Plaintiff's office.

7. Until said judgment is satisfied in full, including all costs and interest thereon, all future statements reflecting cash position, balance sheet position, and profit and loss, *Partnership* shall supply to Plaintiff *Plaintiff* within thirty days of the close of the respective accounting period for which said data is or may be generated.

8. The Order set forth in Paragraph One is exclusive of any amounts payable to Defendant *Defendant* under a properly asserted legal exemption right if same is properly claimed within twenty days of the service of a certified copy of this Order. ***Breach of this Order upon due application to this Court shall be considered a contempt of this Court and may be punishable by fine or imprisonment or both.***

Upon due application, Plaintiff *Plaintiff* may apply to this Court for a further modification of this Order, in the event the Plaintiff feels he has cause to seek the appointment of a receiver for Partnership *Partnership* or the sale of the debtor's interest in Partnership *Partnership* as provided for by law.

Dated at _____, Connecticut, this _____
day of _____, 20__.

BY THE COURT (_____, J.)

Judge/Clerk/Assistant Clerk

Caption

ORDER FOR HEARING, NOTICE, AND TEMPORARY RESTRAINING ORDER

The post-judgment application of Plaintiff *Plaintiff* for a charging order having been presented to the court it is hereby:

ORDERED that a hearing be held thereon on _____ at _____ AM/PM in court room #___ at the Superior Court for the Judicial District of Hartford/New Britain at Hartford, 95 Washington Street, Hartford, Connecticut, and that Plaintiff *Plaintiff* give notice to Defendant *Defendant* of the pendency of the application and of the time when it will be heard by causing a true and attested copy of the application, the proposed charging order and of this order to be served upon Defendant *Defendant* and *Partnership* by some proper officer or indifferent person on or before _____, and that due return of service be made to this court.

FURTHER ORDERED that Defendant *Defendant*, his officers, directors, representatives, servants, agents,

employees, and others acting in active concert or participation with them be, and hereby are, restrained from transferring, or otherwise disposing of, any of Defendant's assets until a hearing is held and a decision rendered by this court on Plaintiff's application for a charging order.

FURTHER ORDERED that *Partnership* and their officers, directors, representatives, servants, agents, employees, and others acting in active concert or participation with them be, and hereby are, restrained from violating the terms of the proposed charging order, or taking any steps to defeat the effectiveness of the proposed charging order, until Plaintiff's application is heard and decided by the Court.

Dated at _____, Connecticut this ____ day of _____, 20__.

By the Court (_____, J.)

Judge/Clerk/Asst Clerk

Caption

CERTIFICATION INTO COURT

The accompanying application made to me in the above entitled action, and proceeding thereon had before me, are hereby certified into the court.

Dated at _____, Connecticut this ____day of _____, 20____.

A Judge of the Superior Court

Caption

SUMMONS

TO ANY PROPER OFFICER:

By the authority of the State of Connecticut, you are hereby commanded to summon Defendant *Defendant* of _____ to appear before the Superior Court for the Judicial District of Hartford/New Britain at Hartford, 95 Washington Street, Hartford, Connecticut 06103 at the time and place specified in the foregoing order, then and there to show cause why a charging order should not be issued against Defendant *Defendant* as prayed for in the foregoing Application, by serving in the manner provided by Statute for Service of Process, a true and attested copy of the foregoing Application, Order for Hearing, proposed charging order and Summons on Defendant *Defendant* on or before _____, 20__.

You are further commanded to serve a copy of the temporary restraining order on *Defendant* and *Partnership*

Dated at Meriden, Connecticut, this ____ day of _____, 20__.

Houston Putnam Lowry
Commissioner of Superior Court

**POST JUDGMENT
INTERROGATORIES**

INSTRUCTIONS

JUDGMENT CREDITOR: Complete Name of Case and Docket No., put an "X" in the box next to the items to be answered.

PERSON SERVED WITH INTERROGATORIES: Answer the questions indicated by . You must disclose assets of the judgment debtor up to an amount clearly sufficient to satisfy the judgment indicated by the "Amount Due Thereon" on the attached form JD-CV-23. Place answers in space provided on this form. If you need more room to answer these questions, use the space on page 2 of attached form JD-CV-23 or attach additional sheets. You must answer the questions and return them to the person named on attached form JD-CV-23 within thirty days of the date of service.

NAME OF CASE	DOCKET NO.
--------------	------------

I. JUDGMENT DEBTOR

STATE YOUR NAME, ADDRESS, AND TELEPHONE NO.

Are you presently employed? NO YES (If yes, complete the information below)

NAME, ADDRESS, AND TELEPHONE NO. OF YOUR EMPLOYER

YOUR JOB TITLE OR POSITION

NAME, ADDRESS OF EACH BOOKKEEPER, PAYROLL CLERK OR OTHER PERSON HAVING RECORDS OF SALARIES OR OTHER SUMS OF MONEY PAID TO YOU BY YOUR PRESENT EMPLOYER

IF YOU RECEIVE ADDITIONAL COMPENSATION FOR OVERTIME, STATE (1) RATE OF OVERTIME PAY AND (2) THE AVERAGE NO. OF HOURS OF OVERTIME YOU WORK PER WEEK

STATE THE DATE ON WHICH YOU ARE PAID FOR BOTH REGULAR AND OVERTIME WORK

Are you receiving any income from any source not disclosed in your answers to the foregoing questions? NO YES (If yes, complete the information below)

STATE THE SOURCE(S) OF SUCH INCOME	AMOUNT RECEIVED EACH WEEK
IF THERE ARE ANY PAYMENTS DUE FROM THE ABOVE SOURCE STATE (1) THE AMOUNT DUE AND (2) NAME AND ADDRESS OF PARTY FROM WHOM IT IS DUE	

List all banks, savings and loan associations, credit unions or other financial institutions in which you maintain an account of any kind, giving in your answer the following: (You need only disclose assets clearly sufficient to ensure full satisfaction of the judgment with interest and costs.)

NAME AND ADDRESS OF INSTITUTION	NAME AND ADDRESS OF INSTITUTION
NAME IN WHICH ACCOUNT IS HELD	NAME IN WHICH ACCOUNT IS HELD
ACCOUNT NO. PRESENT BALANCE (\$)	ACCOUNT NO. PRESENT BALANCE (\$)
IF JOINT ACCOUNT GIVE NAME AND ADDRESS OF OTHER PERSON(S)	IF JOINT ACCOUNT GIVE NAME AND ADDRESS OF OTHER PERSON(S)

List all nonexempt personal property in which you have an interest, whether legal or beneficial, which in total value is clearly sufficient to ensure full satisfaction of the judgment with interest and costs, including but not limited to (a) cash on hand, (b) household goods and supplies and furnishings, (c) stamp and/or coin collections and other collections, (d) wearing apparel, (e) jewelry, (f) watches, (g) automobiles, (h) trucks, (i) trailers or other motor vehicles, (j) boats, motors and accessories. As to each such item of property give the precise description and location, the approximate value of such property and whether or not such property is subject to any form of security interest, lien or encumbrance. If so, state the name and address of such holder of a security interest, lien or encumbrance, the nature of the instrument evidencing the same and the amount of the instrument. (If additional space is necessary, attach a separate sheet to this form.)

State whether any of your nonexempt personal property is in the hands of a third person. If so, describe the property involved, the person or persons so holding the property, the reason the property is so held and any consideration that may have passed therefor.

- List all real estate in your name which in total value is clearly sufficient to ensure full satisfaction of the judgment with interest and costs (*where possible give street address*).

- List your accounts receivable which in total value are clearly sufficient to ensure full satisfaction of the judgment with interest and costs giving a) the name of the party, b) the amount owed, and c) the date the debt was incurred. (*If additional space is needed, attach a separate sheet to this form.*)

II. EMPLOYER

- Is the Judgment Debtor employed by you? NO YES (*If yes, complete the information below*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.

EMPLOYEE'S NORMAL WORKING HOURS

EMPLOYEE'S GROSS SALARY PER HOUR, WEEK, MONTH, OR YEAR

THE DATES ON WHICH EMPLOYEE IS PAID FOR BOTH REGULAR AND OVERTIME WORK

NAME, ADDRESS, AND TELEPHONE NO. OF THE BOOKKEEPER, PAYROLL CLERK OR OTHER PERSON WHO DISBURSES EMPLOYEE'S WAGES OR SALARY

III. FINANCIAL INSTITUTION

- Does the Judgment Debtor maintain an account of any kind with your institution? NO YES
(*If yes, complete the information below. You may disclose only whether you hold funds of the judgment debtor on account and the balance of such funds if so held, up to the amount necessary to satisfy the judgment.*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.

NAME, ADDRESS, AND TELEPHONE NO. OF YOUR INSTITUTION

ACCOUNT NO. OF EACH ACCOUNT

NAME IN WHICH THE ACCOUNT IS HELD

PRESENT BALANCE IN EACH ACCOUNT

IF JOINT ACCOUNT, THE NAME AND ADDRESS OF THE OTHER PERSON(S)

IV. THIRD PERSON IN POSSESSION OF JUDGMENT DEBTOR'S PROPERTY

- Are you in possession of nonexempt personal property belonging to the judgment debtor? NO YES
(*If yes, complete the following information.*)

YOUR NAME, ADDRESS, AND TELEPHONE NO.

DESCRIBE THE PROPERTY, THE REASON YOU ARE HOLDING IT AND ANY CONSIDERATION THAT MAY HAVE PASSED FOR YOUR HOLDING THE PROPERTY.

LOCATION OF THE PROPERTY

V. SIGNATURE OF PERSON COMPLETING THIS FORM OR AUTHORIZED AGENT

- NOTE: Interrogatories served on a judgment debtor shall be signed by such debtor under penalty of false statement.

SIGNED (*Person completing form or authorized agent*)

PRINT NAME OF PERSON SIGNING AT LEFT

DATE SIGNED