

Filing Restitution or Probation Orders & Executing the Judgment in Civil Court

All the Court Forms referenced below are PDF Fillable and can be found on the State of Connecticut Judicial Branch Website: <https://www.jud.ct.gov/webforms/> You may contact the Office of the Victim Advocate at (860) 550-6632 if you have any questions concerning these guidelines.

Step 1. File an Appearance form (JD-CL-12) along with a certified copy of the criminal court's Order of Restitution (JD-CR-130), or the criminal court's Order of Probation requiring the defendant to pay restitution and an Affidavit from Adult Probation Services regarding the defendant's restitution obligation (JD-AP-194) with the civil court in your jurisdiction. Please note that in instances where the defendant's restitution is not being supervised through Adult Probation Services, the victim will have to file their own Affidavit attesting to defendant's restitution obligation.

Step 2. After you have filed the documents identified in Step 1 with the civil court, the clerk of the court will return a "Filed" copy of the Order of Restitution or Order of Probation, the Affidavit Regarding Restitution Obligation and the Appearance form to you. You must serve the defendant with a Filed copy of these documents. Once the defendant has been served these documents, you must submit your proof of service to the civil court clerk's office. Seek guidance from your civil court clerk in your jurisdiction concerning the acceptable manner of service of the restitution order.

Step 3. Complete the top portion of the Post Judgment Remedies Interrogatories for (JD-CV-23) and anywhere on the attached Instructions form where it asks for information from the "Judgment Creditor". Attach Form JD-CV-23a. Follow the Directions for Judgment Creditor on Form JD-CV-23a. Once these forms have been completed, you will have to contact a State Marshal to have him/her serve the debtor with the Interrogatories. The debtor has 30 days to respond.

Step 4. If the debtor does not respond within 30 days, you as the creditor may file an Application for Examination of Judgment Debtor and Notice of Hearing (JD-CV-54) with the Superior Court. The court clerk will give you the date and time of the Hearing. Thereafter, you will have to contact a State Marshal to have him/her serve the debtor with the Notice of Hearing. *(It should be noted that oftentimes once a Debtor comes to court for the Hearing, the Debtor may wish to reach an agreement with the Creditor to pay the judgment according to a payment plan with which the parties can agree. If the Debtor does not make payments as agreed, you as the Creditor can move forward with any of the execution remedies below).*

Step 5. If, however, the Debtor completes the Post Judgment Remedies Interrogatories within the 30 days, then as the Judgment Creditor you can decide which execution proceeding you wish to utilize based on the Debtor's answers to the interrogatories. The options are Wage Execution (JD-CV-3)(JD-CV-3a), Financial Institution Execution (JD-CV-24)(JD-CV-24A), and Property Execution (JD-CV-005)(JD-CV-005b)(JD-CV-005c).

Step 6. Whichever execution proceeding you decide to utilize, you will have to complete the portion of the execution form where it asks for information concerning the Judgment Creditor. You will also have to complete the Judgment Creditor's information on the accompanying exemption form. You will have to contact a State Marshal to serve the Debtor with the execution and exemption forms.