

## Small Claims Jurisdiction and Transfers

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### Issue

This report describes the jurisdiction of the small claims court in Connecticut and how cases can be transferred from small claims court to the regular Superior Court docket.

### Summary

In Connecticut, the small claims court generally has jurisdiction over actions seeking up to \$5,000 in damages. (The limit does not apply to certain cases involving residential security deposits; see below.) The \$5,000 limit includes attorney's fees and collection costs, but does not include interest and other costs.

#### *Small Claims Court Disposition Statistics*

*According to Judicial Branch data, 42,121 non-housing cases and 1,921 housing cases were disposed of in small claims court during FY 17.*

*Source: Judicial Branch Statistics, [Small Claims Cases](#)*

Small claims courts do not have jurisdiction over (1) libel or slander actions or (2) actions against non-corporate defendants who neither live in the state nor own real or personal property here.

If a landlord wrongfully withholds a security deposit, the tenant can sue for double the amount of the deposit plus interest, even if the total amount of damages and costs would exceed \$5,000 ([CGS §§ 51-15\(d\)](#) and [47a-21\(d\)](#)); [Conn. Practice Book § 24-2](#)).

There is a \$95 fee to file a small claims case or a counterclaim in such a case ([CGS § 52-259\(b\)](#)). Small claims judgments cannot be appealed ([CGS §§ 51-197a](#) and [52-263](#)).

Small claims cases may be transferred to the regular Superior Court docket if:

1. the defendant, or the plaintiff if the defendant files a counterclaim, files a motion to transfer on or before the answer date and
2. the motion is accompanied by (a) a counterclaim seeking damages in an amount that takes the case outside of the court's jurisdiction or (b) an affidavit stating that a good defense exists to the claim and specifying the nature of the defense, or stating that a jury trial has been requested.

The small claims court must grant a transfer motion, without a hearing, if the motion meets these conditions.

The party seeking the transfer must pay a \$125 transfer fee, and a jury fee if a jury trial is requested ([Conn. Practice Book § 24-21](#); [CGS § 52-259\(b\)](#)).

For more information on the procedure for small claims cases, see the Judicial Branch [website](#).

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