

## Small Claims Jurisdiction and Transfers

By: James Orlando, Chief Attorney  
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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. This report updates OLR Report [2018-R-0229](#).

### 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 (1) residential security deposits or (2) home improvement contractors or new home builders; 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, 44,482 non-housing cases and 809 housing cases were disposed of in small claims court during FY 21.*

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

Small claims courts do not have jurisdiction over (1) libel or slander actions or (2) actions against individuals 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\(d\)](#), as amended by [PA 21-15](#), § 142, and [PA 21-197](#), § 13, and [47a-21\(d\)](#), as amended by [PA 21-78](#), § 22; [Conn. Practice Book § 24-2](#)).

Starting July 1, 2022, the law raises the monetary threshold, from \$5,000 to \$15,000, under which an action claiming loss or damages caused by a registered home improvement contractor can be brought in small claims court. It also correspondingly raises the threshold to \$15,000 for actions involving a registered new home construction contractor and a related contract ([PA 21-197](#), § 13).

There is a \$95 fee to file a small claims case or a counterclaim in a small claims 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 small claims 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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