

TABLE OF CONTENTS

Rules of Procedure

Notice of claim 4-157- 1

Hearings 4-157- 2

Filing of claims 4-157- 3

Amendments 4-157- 4

Motions prior to hearing 4-157- 5

Pre-hearing conference 4-157- 6

Requirements for practice before the claims commissioner 4-157- 7

Filing appearances 4-157- 8

Notice of hearing 4-157- 9

Powers and duties of the claims commissioner 4-157-10

Motions and objections at hearings 4-157-11

Joinder of proceedings 4-157-12

Stipulations 4-157-13

Rights of parties at hearings 4-157-14

Continuation of hearings 4-157-15

Oral arguments and briefs 4-157-16

Evidence in contested claims 4-157-17

Rules of Procedure

Sec. 4-157-1. Notice of claims

All notices of claims shall be filed with the clerk and contain the information prescribed in section 4-147 of the General Statutes.

(Effective November 11, 1969)

Sec. 4-157-2. Hearings

All hearings shall be conducted in accordance with the procedural rules prescribed in section 4-151 of the General Statutes.

(Effective November 11, 1969)

Sec. 4-157-3. Filing of claims

(a) Claims of less than \$750.00 must be accompanied by a statement concerning insurance coverage and an affidavit or supporting copy of policy which would indicate amount and types of coverage.

(b) The claims commissioner shall deny any claim not filed in a timely fashion without the need of filing of special defenses by the attorney general.

(Effective November 20, 1981)

Sec. 4-157-4. Amendments

The notice of complaint may be amended as a matter of right within ninety (90) days of the filing of the notice with the office of the claims commissioner except that an extension beyond ninety (90) days may be granted upon request made at the time of the filing of the notice of claim. Such request must set forth the reasons why it is anticipated that an extension of time beyond the ninety (90) days is required.

(Effective November 20, 1981)

Sec. 4-157-5. Motions prior to hearing

Prior to the hearing on the merits, appropriate motions, including motions concerning discovery, inspection and disclosure of books, papers, records or documents, may be filed by the claimant or the attorney general and unless the parties request oral argument or testimony in conjunction with the motion, the claims commissioner shall decide the motion upon the written presentation. The claimant and the attorney general may submit memoranda in support of their respective positions.

(Effective November 20, 1981)

Sec. 4-157-6. Pre-hearing conference

Either party may request a pre-hearing conference and such request shall contain the reasons for such request. The commissioner may order a pre-hearing conference and as a result of the conference may issue orders in aid of the proceedings.

(Effective November 20, 1981)

Sec. 4-157-7. Requirements for practice before the claims commissioner

All claims against the state of Connecticut are defended by the office of the attorney general. A claimant need not be represented by an attorney. No person shall be permitted to represent a claimant except attorneys admitted to practice law before the courts of the state of Connecticut and who are in good standing before those courts. Student interns with the counsel of the claimant or the attorney general's office may be permitted to appear before the claims commissioner in any

hearing or motion before the claims commissioner, but his representation must be accompanied by an attorney duly authorized and qualified.

(Effective November 20, 1981)

Sec. 4-157-8. Filing appearances

All attorneys representing clients before the state shall state their name, address, telephone number and juris number. Attorneys shall file their written appearance by filing the superior court appearance form, in use at that time, or facsimile in the office of the claims commissioner. Any substitute counsel shall file his appearance in the same manner and require of the claimant a statement that he has discharged his prior attorney.

(Effective November 20, 1981)

Sec. 4-157-9. Notice of hearing

The notice of hearing shall state the time and place of hearing which shall be not less than fourteen (14) days from the date of the notice. Notice of the hearing shall be given to the claimant and the attorney general.

(Effective November 20, 1981)

Sec. 4-157-10. Powers and duties of the claims commissioner

The claims commissioner shall have full authority to control the procedure of a hearing; to admit or exclude testimony or other evidence; and to rule upon all motions and objections. He shall make full inquiry into all facts at issue and shall obtain a full and complete record of all facts necessary for a fair determination of the issues. The claims commissioner may call and examine witnesses, direct the production of papers and documents and introduce the same into the record of the proceedings.

(Effective November 20, 1981)

Sec. 4-157-11. Motions and objections at hearings

Motions made during a hearing and objections with respect to the conduct of a hearing, including objections to the introduction of evidence, shall be stated orally and shall, with the ruling of the commissioner be included in the stenographic report of the hearing.

(Effective November 20, 1981)

Sec. 4-157-12. Joinder of proceedings

Two or more proceedings may be heard together by the commissioner in his discretion.

(Effective November 20, 1981)

Sec. 4-157-13. Stipulations

Stipulations with regard to matters and issues made with the consent of the commissioner may be introduced in evidence.

(Effective November 20, 1981)

Sec. 4-157-14. Rights of parties at hearings

All parties to a hearing may call, examine and cross-examine witnesses and introduce papers, documents and other evidence into the record of the proceedings subject to the ruling of the commissioner.

(Effective November 20, 1981)

Sec. 4-157-15. Continuation of hearings

The commissioner may continue a hearing from day to day or adjourn it to a later date or to a different place by announcement thereof at the hearing or by appropriate notice.

(Effective November 20, 1981)

Sec. 4-157-16. Oral arguments and briefs

The commissioner shall permit the parties to submit oral arguments before him and to file briefs within such time limits as the commissioner may determine.

(Effective November 20, 1981)

Sec. 4-157-17. Evidence in contested claims

In contested claims

(a) any oral or documentary evidence may be received, but the commissioner shall, as a matter of policy, exclude irrelevant, immaterial or unduly repetitious evidence. The commissioner shall give effect to the rules of privilege recognized by the law. Subject to these requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced substantially, any part of the evidence may be received in written form;

(b) documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon requests, parties shall be given an opportunity to compare the copy with the original;

(c) a party may conduct cross-examinations required for a full and true disclosure of the facts;

(d) notice may be taken of judicially cognizable facts.

(Effective November 20, 1981)