

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

**INFORMATION AND INSTRUCTIONS
FOR FILING A CIVIL ACTION IN DISTRICT COURT
by persons who are not incarcerated**

The district court has specific forms available for filing a civil rights action pursuant to 42 U.S.C. § 1983 or pursuant to *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and 28 U.S.C. § 1331; an employment discrimination action; and an action appealing a final determination of the Social Security Commission. In addition, there is a general form to help you in filing any other federal civil action. You should obtain the appropriate form from the Clerk's Office.

You must pay the full filing fee of \$150.00 (check or money order payable to U.S. District Court Clerk) or submit a Motion for Leave to Proceed In Forma Pauperis pursuant to 28 U.S.C. § 1915 and a Financial Affidavit. Further instructions for completing these forms are provided below.

The Filing Fee and 28 U.S.C. § 1915

These instructions are for non-prisoners seeking leave to proceed in forma pauperis under 28 U.S.C. § 1915. A prisoner is any person incarcerated or detained in any facility. If you are a prisoner, you must obtain a copy of the instructions specifically designed for civil actions filed by prisoners.

1. The complaint must be accompanied by the full \$150.00 filing fee. If you want to commence an action without prepayment of fees or security therefor, you must file a Motion for Leave to Proceed In Forma Pauperis pursuant to 28 U.S.C. § 1915 and a Financial Affidavit. The court cannot consider the merits of the claims asserted in any complaint filed without either the \$150.00 filing fee or a properly completed motion and affidavit.

2. The motion and affidavit for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 must be typewritten or legibly handwritten. All questions must be answered clearly and concisely in the appropriate space on the form. You must sign the motion and affidavit. You should exercise care to assure that all answers are true, correct and complete.

3. If your motion is denied, you will be notified of the court's decision. If you wish to proceed with your case, you must pay the filing fee.

The Complaint

1. In a civil rights action, the court can grant relief only for deprivations of a federal constitutional or statutory right by a person acting under color of state or federal law. Your complaint can be brought in this court only if one or more of the named defendants is located within this judicial district.

2. The complaint must be typewritten or legibly handwritten. All questions must be answered clearly and concisely in the appropriate space on the form. If necessary, the answer to a particular question may be continued on an additional blank page. If additional pages are used, you must clearly indicate which question is being continued. You must include all grounds for relief and all facts supporting such grounds for relief in the complaint.

3. All plaintiffs and defendants must be listed in the caption of the complaint. You must indicate whether each defendant is being sued in his individual capacity, official capacity, or both. You must also provide a current address for each defendant. If there is more than one defendant, you should indicate clearly in the body of the complaint which actions are attributable to each defendant.

4. In addition to these general directions, you should follow all specific directions included on the complaint form. You must sign the complaint and the declaration under penalty of perjury. You are cautioned that any intentionally false statement of a material fact may serve as a basis for prosecution and conviction for perjury. You should exercise care to assure that all answers are true, correct and complete.

5. You must provide the court with the original complaint. You should keep an additional copy of the complaint for your own records. If you pay the filing fee, copies to be served on parties can be file stamped by the Clerk's Office at the time of filing.

6. When your complaint is completed, it should be mailed or delivered with the filing fee or motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. §1915 and other forms to the Clerk's Office in any seat of court.

The addresses of the three seats of court are:

Office of the Clerk
United States District Court
915 Lafayette Blvd.
Bridgeport, CT 06604
(203) 579-5861

Office of the Clerk
United States District Court
450 Main Street
Hartford, CT 06103
(860) 240-3200

Office of the Clerk
United States District Court
141 Church Street
New Haven, CT 06510
(203) 773-2140

7. If you are granted leave to proceed in forma pauperis, the court will order the U.S. Marshal's Service to serve the complaint on the defendants. After your motion is granted, you will receive a notice specifying the forms and copies that you must provide for service.

8. If you have paid the filing fee, you are responsible for having the complaint served on the defendants. Please see the separate instructions for information about serving a complaint.

9. You must file an original of all motions, pleadings, correspondence or other documentation in the seat of court in which the District Judge who has been assigned to your case sits. When you file your complaint, you will be provided a notice informing you of the

District Judge to whom your case has been assigned. You also must furnish the opposing party or his or her attorney with a copy of all documents submitted to the court. Each original document (except the original complaint) must include a certificate stating the date a copy of the document was mailed to the opposing party or his or her attorney and the address to which it was mailed. Any document received which fails to include a certificate of service may be disregarded by the court or returned. An example of a certificate of service is:

I hereby certify that a copy of the foregoing pleading/document was mailed to:

_____ (list all defendants or counsel for defendants)

at (address) on (date).

Filers Original Signature

10. The United States District Judges, the United States Magistrate Judges, the clerk of the court, deputy clerks and staff attorneys are officers of the court and are prohibited from giving legal advice. Legal questions should be directed to an attorney.

11. In conducting your case, the court assumes that you are familiar with the Federal Rules of Civil Procedure and the Local Rules of Civil Procedure for the District of Connecticut. You can find copies of these rules in the law libraries at the larger state courthouses and at the law schools. In addition, you can find the Local Rules on the District Court's website, <http://www.ctd.uscourts.gov/>, or you may purchase a copy of the Local Rules from the Connecticut Bar Association.

12. The court will send all correspondence to you at the address you provide at the time you file the complaint. If your address changes at any time before your case is concluded, you must inform the court of your new address. Failure to do this may result in your case being dismissed.