

Cohen, Wolf buy  
UI building for  
new law offices



An Invitation  
Cohen and Wolf, P.C.  
 cordially invites you to celebrate  
the opening of its new office  
in the former United Illuminating Building  
115 Broad Street, Bridgeport, Connecticut  
Thursday, November 17, 1983 4:30 to 7:30 PM

## Changes to Family Court Procedures During COVID-19

04.17.2020

Over the course of the last several weeks, family law practitioners and clients alike have found their cases stalled by courthouse closures, cancellation of hearings, reductions in courthouse staff, and limitations on the types of matters that courts will adjudicate due to the COVID-19 crisis. This week, we received notice that the judiciary intends to expand the types of family cases that can be considered right now in order to begin to clear some of the backlog that has been generated by the pandemic. Here are some “takeaways” from the new rules:

- 1) **It pays to try to reach agreement:** It appears that very soon (possibly within the next week) judges will consider and, where appropriate, approve temporary agreements reached by parties on various issues that arise in divorce cases. We expect that these will include – temporary parenting plans, discovery issues, temporary financial issues and the like;
- 2) **Certain divorces can be finalized now:** Non-adversarial divorces can now go to judgment, provided that parties submit all appropriate paperwork and an agreement that meets court requirements. Generally, this applies to parties who have been married for 9 years or less, who do not have children together, and whose assets are less than \$80,000.
- 3) **Hearing dates will be assigned:** For those matters where a motion must be served on the opposing party to initiate court proceedings (for instance, post-judgment motions for contempt or to modify) we have been told that appropriate motions and documents can now be submitted to the clerk’s office. While we expect that the backlog of matters will cause some delay, all appropriate matters will eventually be assigned a hearing date by court personnel;
- 4) **Paper submissions by agreement on certain urgent matters:** If counsel can agree, the courts have indicated a willingness to consider emergency matters without counsel or clients appearing in person for a hearing. This can only be done by agreement, and provided that appropriate sworn affidavits are

submitted so that the court has all relevant information available in deciding such matters.

5) **Decisions will be issued on certain pending matters:** We have been told that courts are soon going to begin issuing decisions on matters that were argued and concluded prior to court closures.

6) **Discovery:** If a case is presently in the “discovery phase,” document requests and responses should proceed as usual, according to our Rules of Court. We have been told that normal discovery rules will apply and that timelines for compliance will not be suspended. In addition, depositions can be conducted via “remote” methods if counsel can agree on that procedure. The coordination of videoconferencing so that all parties, counsel, and a stenographer can all participate can be worked out through attorneys for the parties.

7) **Prioritization of matters:** At some point, we expect to receive further guidance about the order of priority that family courts will assign to various categories of matters. Prior to this week’s announcement, only the most urgent family court business involving true emergencies was to be considered and adjudicated. We expect more announcements soon so that we can determine where various types of cases will fall on the continuum of matters to be scheduled and heard quickly vs. those that will be considered less urgent. We will issue updates as more information becomes available.

8) **Relaxation of requirements for restraining order applications:** Parties seeking *ex parte* protective orders do not need to appear in court or have their acknowledgements taken on these applications. Fax filing and e-filing options are now available.

Cohen and Wolf’s Family Law Group is available to assist with all types of family matters. If you have questions about any of these procedures or changes or how they might impact your case, please reach out to a member of our group.

### PRACTICE AREAS

Family Law

