

**To:** Del Ciampo, Joseph  
**Subject:** RE: Rules change suggestion

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**From:** Noble, Cesar <[Cesar.Noble@jud.ct.gov](mailto:Cesar.Noble@jud.ct.gov)>  
**Sent:** Sunday, June 28, 2020 2:00 PM  
**To:** McDonald, Andrew  
**Subject:** Rules change suggestion

Andrew:

I hope all is well and that you and your family are safe and handling this pandemic as well as possible. I offer for consideration of the rules committee the following revision to the rules of practice.

§ 10-60 provides for three methods of amending a pleading which are 1. By order of the court; 2. By written consent of the adverse party or 3. By filing a request for leave to file an amendment. It is only in the last circumstance, the filing of a request for leave to amend, that a movant is required to attach (A) the pleading as amended and (B) the pleading with the added language underlined and the deleted language stricken through or bracketed. It would be enormously helpful to have a party moving to amend pursuant to § 10-60(a)(1) [motion to amend] file the same pleading identifying the added and/or deleted language. I have attached a suggested amendment.

Please feel free to let me know if you have any questions.

Enjoy your summer.

Hon. Cesar A. Noble  
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**Sec. 10-60. --Amendment by Consent, Order of Judicial Authority, or Failure to Object**

(a) Except as provided in [Section 10-66](#), a party may amend his or her pleadings or other parts of the record or proceedings at any time subsequent to that stated in the preceding section in the following manner:

(1) ~~By order of judicial authority~~ [By motion accompanied by (A) the amended pleading or other parts of the record or proceedings, and (B) an additional document showing the portion or portions of the original pleading or other parts of the record or proceedings with the added language underlined and the deleted language stricken through or bracketed.];\* or

(2) By written consent of the adverse party; or

(3) By filing a request for leave to file an amendment together with: (A) the amended pleading or other parts of the record or proceedings, and (B) an additional document showing the portion or portions of the original pleading or other parts of the record or proceedings with the added language underlined and the deleted language stricken through or bracketed. The party shall file the request and accompanying documents after service upon each party as provided by [Sections 10-12](#) through [10-17](#), and with proof of service endorsed thereon. If no party files an objection to the request within fifteen days from the date it is filed, the amendment shall be deemed to have been filed by consent of the adverse party. If an opposing party shall have objection to any part of such request or the amendment appended thereto, such objection in writing specifying the particular paragraph or paragraphs to which there is objection and the reasons therefor, shall, after service upon each party as provided by [Sections 10-12](#) through [10-17](#) and with proof of service endorsed thereon, be filed with the clerk within the time specified above and placed upon the next short calendar list.

*\*The added language tracks the requirement of § 10-60(a)(3) that the amended pleading and a document that identifies the additions and deletion be filed.*