

# **A NEW PITCH IN CREDITOR’S ARSENAL – JUDGMENT CREDITORS’ NEW ABILITY TO RECORD LIENS AGAINST DEBTORS’ REAL PROPERTY**

By: Brandon K. Buck

- I. THE NEW JUDGMENT LIEN STATUTE IS A SIGNIFICANT NEW TOOL FAVORING CREDITORS
  - A. Judgment Creditors Now Have the Ability to Record Judicial Liens Against a Judgment Debtor’s Real Property
  - B. The Mechanics of the New Judgment Lien Statute
    1. Obtain a Notice of Judgment Lien from State or Federal Court
    2. Serve Notice Upon Judgment Debtor
    3. File Notice with Register of Deeds for County Where Judgment Debtor’s Property is Located
  - C. A Perfected Judgment Lien Has Priority Over Subsequent Creditors With a Few Important Exceptions
  - D. A Perfected Judgment Lien Can Be Maintained for Up to 10 Years
  - E. A Perfected Judgment Lien Does Not Give a Judgment Creditor The Right to Foreclose and Sell the Judgment Debtor’s Real Property