

Judgment

- Has the judgment entered? Date of Judgment?
- Request a Transcript of Judgment from the Clerk of the Court
 - The Transcript of Judgment becomes a Lien when recorded against real property pursuant to **CRS §13-52-102**

Record the Transcript of Judgment in the County where the real property is held

Recording the Transcript of Judgment creates a lien against the real property held by the debtor in that county
May file in more than one county if debtor holds various properties

The Lien encumbers the property until the debtor attempts to re-finance or sell the property

Upon re-finance or sale, seller will normally be required to provide title insurance

Title Company will research the title, and discover the lien, which is viewed as creating an unmarketable title

- Debtor Payoff in advance of closing
- Debtor Payoff at closing

Judgment from the County Court expires **six years** from the date of judgment *but may be 'revived'*

Judgment from the District Court expires **twenty years** from the date of judgment *but may be 'revived'*

CRCP 54(h) Revival of Judgment

- File Motion describing the date of judgment and the amount of the debt which remains unsatisfied
- Important! File for revival well in advance of the expiration date *(makes it all easier)*
- Clerk shall issue Notice to Debtor to show cause within ten days after service why judgment should not be revived. Service must comport with CRCP Rule 4.
- If debtor answers, must be heard by the court
- Judgment may be revived for up to twenty years