



28 (5) (a) If any judgment is appealed, upon deposit with the court where the notice of appeal  
29 is filed of cash or other security in a form and amount considered sufficient by the court that  
30 rendered the judgment to secure the full amount of the judgment, together with ongoing interest  
31 and any other anticipated damages or costs, including attorney's fees and costs on appeal, the lien  
32 created by Subsection (2) shall be terminated as provided in Subsection (5)(b).

33 (b) Upon the deposit of sufficient security as provided in Subsection (5)(a), the court shall  
34 enter an order terminating the lien created by the judgment under Subsection (2) and granting the  
35 judgment creditor a perfected lien in the deposited security as of the date of the original judgment.

36 (6) After July 1, 2000, except as limited by Subsections (4) and (5), the entry of judgment  
37 by a district court is a lien upon the real property of the judgment debtor, not exempt from  
38 execution, owned or acquired during the existence of the action giving rise to the judgment,  
39 located in the county in which the judgment is entered, when the judgment or abstract of judgment  
40 has been recorded in the office of the county recorder of the county in which real property owned  
41 by the judgment debtor is located.

42 (7) When a judgment has been recorded, the county recorder:

43 (a) shall immediately enter the judgment in the judgment index required under the  
44 provisions of Section 17-21-6;

45 (b) may enter the judgment in any of the other indexes as appropriate; and

46 (c) if the judgment contains a legal description, index the judgment against the real  
47 property described in the judgment.

48 (8) After the judgment has been recorded the county recorder shall return the original  
49 document to the person recording the judgment.

50 Section 2. Section **78-22-1.5** is amended to read:

51 **78-22-1.5. Definitions -- Judgment recorded.**

52 (1) For purposes of this section, "Registry of Judgments" means the index where a  
53 judgment shall be recorded and searchable by the name of the judgment debtor through electronic  
54 means or by tangible document.

55 (2) On or after July 1, 1997, a judgment rendered or recorded in a district court does not  
56 create a lien upon or affect the title to real property unless the judgment is recorded in the Registry  
57 of Judgments of the office of the clerk of the district court of the county in which the property is  
58 located.

59 (3) In addition to the requirement of Subsection (2), any judgment that is recorded in the  
60 Registry of Judgments on or after September 1, 1998, shall include a separate information  
61 statement of the judgment creditor that contains:

62 (a) the correct name and last-known address of each judgment debtor and the address at  
63 which each judgment debtor received service of process;

64 (b) the name and address of the judgment creditor;

65 (c) the amount of the judgment as entered in the Registry of Judgments;

66 (d) if known, the judgment debtor's social security number, date of birth, and driver's  
67 license number if a natural person; and

68 (e) whether or not a stay of enforcement has been ordered by the court and the date the stay  
69 expires.

70 (4) On or after July 1, 2000, a judgment rendered or recorded in a district court does not  
71 create a lien upon or affect the title to real property unless the judgment is recorded in the office  
72 of the county recorder in the county in which property of the judgment debtor is located.

73 [~~4~~] (5) For the information required in Subsection (3), the judgment creditor shall:

74 (a) provide the information on the separate information statement if known or available  
75 to the judgment creditor from its records, its attorney's records, or the court records in the action  
76 in which the judgement was entered; or

77 (b) state on the separate information statement that the information is unknown or  
78 unavailable.

79 [~~5~~] (6) (a) Any judgment that requires payment of money and is recorded on or after  
80 September 1, 1998, and is not accompanied by the separate information statement as required in  
81 Subsections (3) and [~~4~~] (5) may be amended by recording a document entitled "Amendment to  
82 Recorded Judgment" in the Registry of Judgments in compliance with Subsections (3) and [~~4~~]  
83 (5).

84 (b) The amendment to the recorded judgment shall state the date of recording the original  
85 judgment in the Registry of Judgments.

86 (c) Recording an amendment to a recorded judgment has no effect on the computation of  
87 time as provided in Section 78-22-1.

88 [~~6~~] (7) A judgment that requires payment of money recorded on or after September 1,  
89 1998, has as its priority the date of compliance with Subsections (3) and [~~4~~] (5).

90           Section 3. **Effective date.**  
91           This act takes effect on July 1, 2000.

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**Legislative Review Note**  
**as of 1-20-00 4:01 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**