

38-9a-204 Civil wrongful lien injunction -- Validity of injunctions -- Changes to injunctions -- Dissolution of injunction.

- (1) If the respondent does not request a hearing in writing within 10 days of service of the ex parte civil wrongful lien injunction under Section 38-9a-203, the injunction automatically becomes a civil wrongful lien injunction without further notice to the respondent and expires three years from the date of service.
- (2) The civil wrongful lien injunction issued by the court shall include the following statement:
"Attention. This is an official court order. If you disobey this order, the court may find you in contempt. You may also be arrested and prosecuted for the crime of making a wrongful lien and any other crime you may have committed in disobeying this order."
- (3) A certified copy of an ex parte civil wrongful lien injunction or civil wrongful lien injunction is presumed to be a valid existing order of the court for a period of three years from the date of service of the ex parte civil wrongful lien injunction on the respondent.
- (4)
 - (a) Any changes or modifications of the ex parte civil wrongful lien injunction are effective upon service on the respondent. The original ex parte civil wrongful lien injunction continues in effect until service of the changed or modified civil wrongful lien injunction on the respondent.
 - (b) The validity of the injunction under this Subsection (4) is determined in the same manner as prescribed in Subsection (3).
- (5) The ex parte civil wrongful lien injunction or civil wrongful lien injunction may be dissolved at any time upon written application by the petitioner to the issuing court.
- (6)
 - (a) The court clerk shall provide, without charge, to the petitioner one certified copy of the injunction issued by the court and one certified copy of the proof of service of the injunction on the respondent.
 - (b) Charges may be imposed by the clerk's office for any additional copies, whether or not certified, under the Utah Code of Judicial Administration, Rule 4-202.08.

Enacted by Chapter 93, 2005 General Session