

CHAPTER 548

JUDGMENTS

548.09 Lien of judgment.
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548.09 LIEN OF JUDGMENT.

Subdivision 1. Docketing; survival of judgment. Every judgment requiring the payment of money, including a judgment or decree of dissolution or separate maintenance, a determination of parentage, an order under the Reciprocal Enforcement of Support Act, or an order under section 256.87, any of which provide for installment or periodic payments of child support, spousal maintenance, or both, shall be docketed by the clerk upon its entry. Upon a transcript of the docket being filed with the clerk in any other county, the clerk shall also docket it. From the time of docketing the judgment is a lien, in the amount unpaid, upon all real property in the county then or thereafter owned by the judgment debtor. The judgment survives, and the lien continues, for ten years after its entry.

Subd. 2. Judgment creditor's affidavit. No judgment, except for taxes, shall be docketed until the judgment creditor, or his agent or attorney, has filed with the clerk an affidavit, stating the full name, occupation, place of residence, and post office address of the judgment debtor, to the best of affiant's information and belief. If the residence is within an incorporated place having more than 5,000 inhabitants, the street number of both his place of residence and place of business, if he has one, shall be stated.

Subd. 3. Violations by clerk. If the clerk violates this provision, neither the judgment nor the docketing is invalid.

History: 1983 c 308 s 30

548.15 DISCHARGE OF RECORD.

Upon the satisfaction of a judgment, whether wholly or in part, or as to all or any of several defendants, the clerk shall enter the satisfaction in the judgment roll, and note it, with its date, on the docket. If the docketing is upon a transcript from another county, the entry on the docket shall be sufficient. A judgment shall be deemed satisfied when there is filed with the clerk:

- (1) An execution satisfied, to the extent stated in the sheriff's return on it;
- (2) A certificate of satisfaction signed and acknowledged by the judgment creditor;
- (3) A like certificate signed and acknowledged by the attorney of the creditor, unless his authority as attorney has previously been revoked and an entry of the revocation made upon the register; the authority of an attorney to satisfy a judgment ceases at the end of six years from its entry;
- (4) An order of the court, made on motion, requiring the execution of a certificate of satisfaction, or directing satisfaction to be entered without it;
- (5) Where a judgment is docketed on transcript, a copy of either of the foregoing documents, certified by the clerk of the court in which the judgment was originally entered and in which the originals were filed.

A satisfaction made in the name of a partnership is valid if executed by a member of it while the partnership continues. The judgment creditor, or his

attorney while his authority continues, may also satisfy a judgment of record by a brief entry on the register, signed by him and dated and witnessed by the clerk, who shall note the satisfaction on the margin of the docket. When a judgment is satisfied otherwise than by return of execution, the judgment creditor or his attorney shall give a certificate of it within ten days after the satisfaction.

History: 1983 c 235 s 1

548.29 STAY.

[For text of subd 1, see M.S.1982]

Subd. 2. **Stay of enforcement.** If the judgment debtor at any time shows the district court any ground upon which enforcement of a judgment of any district court or the court of appeals or supreme court of this state would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this state.

History: 1983 c 247 s 189