

## **137-055-4450**

### **Expiration and Release of Judgment Liens**

(1) When a judgment of the court or administrative order containing a money or support award is filed with the court administrator, it creates a judgment lien on all property owned by the obligor in the county where it is filed.

(a) A money award for past support or any lump sum support award will attach to all real property of the judgment debtor immediately upon entry of the judgment.

(b) A support award will not attach until it becomes an unpaid installment pursuant to section 2 of this rule.

(2) When an installment becomes due under the terms of a support award and is not paid a support arrearage lien attaches:

(a) to all real property of the judgment debtor in the county where the judgment is filed; and

(b) to any property acquired in that county by the judgment debtor after that date.

(3) A support arrearage lien remains attached to real property until:

(a) The judgment lien expires; or

(b) The judgment lien is released for a single piece of real property or all real property of the judgment debtor in that county; or

(c) Satisfaction is made for the unpaid installment(s).

(4) A judgment lien created as a result of a child support or money award for unpaid child support installments expires:

(a) 25 years after entry of the judgment that first establishes the support obligation if the judgment was entered on or after January 1, 1994.

(b) 10 years after entry of the judgment that first establishes the support obligation if the judgment was entered before January 1, 1994, and was not renewed under the law in effect prior to January 1, 2004.

(5) A judgment lien created as a result of a support award for spousal support expires:

(a) 25 years after entry of the judgment that first establishes the support obligation if the judgment was entered on or after January 1, 2004, unless a certificate of extension is filed as provided in ORS 18.185. However, in no circumstance may the judgment lien be extended beyond the judgment remedies as provided in OAR 137-055-4455.

(b) 10 years after entry of the judgment that first establishes the support obligation if the judgment was entered before January 1, 2004, and was not renewed per the law in effect prior to January 1, 2004.

(6) An obligee may authorize the State of Oregon to release a lien against real property of an obligor when the obligee has submitted a signed and notarized lien release form to the administrator.

(7) If a release of lien is filed for all real property of the judgment debtor in a county, a judgment lien may be reinstated as provided in ORS chapter 18.

Stat. Auth.: ORS 180.345

Stats. Implemented: ORS 18.005 to 18.845

Effective: January 3, 2006