

Rule 3022. Verdict or Order. Lien. Duration

(a) A verdict or order for a specific sum of money when entered in the judgment index shall create a lien on real property located within the county, title to which at the time of entry is recorded in the name of the person against whom the verdict or order was rendered. The lien shall continue for five years unless the verdict is sooner reduced to judgment or the court sooner awards a new trial or enters a judgment notwithstanding the verdict.

Note: An order is defined by Section 102 of the Judicial Code, 42 Pa.C.S. § 102, to include, inter alia, a decision, a decree and an adjudication.

Section 8142(b) of the Judicial Code, 42 Pa.C.S. § 8142(b), provides for the endorsement of time on recorded verdicts.

“Overdue support obligations of this or any other state which are on record at the county domestic relations section shall constitute a lien by operation of law against all real property owned by the obligor within the county as provided in subsection (d.1).” See Section 4352(d) of the Domestic Relations Code, 23 Pa.C.S. § 4352(d).

(b)(1) Except as provided by paragraph (2), the lien of a verdict or order for a specific sum of money shall have the priority prescribed by Section 8141 of the Judicial Code from the time the verdict or order is entered in the judgment index.

(2) Paragraph (1) shall not affect the priority of the lien of a verdict or order for a specific sum of money created prior to the effective date of this rule.

Note: The effective date of this rule was July 1, 2004.

For the priority of the lien of a verdict or order governed by subdivision (b)(2), see Section 8141 of the Judicial Code.

(3) Sections 8141(3), (4) and (5) of the Judicial Code, 42 Pa.C.S. §§ 8141(3), (4) and (5), [is] are suspended in accordance with Article V, Section 10(c) of the Constitution of 1968 and Section 1722(b) of the Judicial Code, 42 Pa.C.S. § 1722(b), insofar as [it is] they are inconsistent with this rule.

Note: Section 8141(3) of the Judicial Code provides that the lien of a verdict for a specific sum of money shall have priority from the time it is recorded by the court.

Section 8141(4) of the Judicial Code provides that the lien of an adverse judgment and other orders shall have priority from the time it is rendered.

Section 8141(5) of the Judicial Code provides that the lien of an amicable judgment shall have priority from the time the instrument on which it is entered is left for entry.

Rule 3023. Judgment. Lien. Duration

(a) Except as provided by subdivision (b), a judgment when entered in the judgment index shall create a lien on real property located in the county, title to which at the time of entry is recorded in the name of the person against whom the judgment is entered.

Note: See Rule 3001 et seq. for the transfer of a judgment to another county.

See Rule 3027 for the lien of the writ of revival or of the agreement to revive and Rule 3031.1 for the lien of a judgment of revival.

(b) A judgment upon a verdict or an order, when entered in the judgment index, shall

(1) continue the lien upon real property located in the county which is subject to the lien of the verdict or order upon which the judgment is entered, and

Note: The lien of a verdict or order dates from the time the verdict or order is entered in the judgment index. See Rule 3022(a).

(2) create a lien upon all other real property located in the county, title to which at the time of entry in the judgment index is recorded in the name of the person against whom the judgment is entered.

(3) Sections 8141(3), (4) and (5) of the Judicial Code, 42 Pa.C.S. §§ 8141(3), (4) and (5), are suspended in accordance with Article V, Section 10(c) of the Constitution of 1968 and Section 1722(b) of the Judicial Code, 42 Pa.C.S. § 1722(b), insofar as they are inconsistent with this rule.

Note: Section 8141(3) of the Judicial Code provides that the lien of a verdict for a specific sum of money shall have priority from the time it is recorded by the court.

Section 8141(4) of the Judicial Code provides that the lien of an adverse judgment and other orders shall have priority from the time it is rendered.

Section 8141(5) of the Judicial Code provides that the lien of an amicable judgment shall have priority from the time the instrument on which it is entered is left for entry.

(c) The lien shall continue for five years from the date the judgment was entered in the judgment index unless the judgment is sooner discharged or the lien is sooner revived.

Note: A judgment lien may be revived in the manner provided by Rule 3025 et seq.