

426.720 Final judgment to act as lien on realty -- Judgment creditor's notice requirements -- Methods of service -- Expiration of judgment lien.

- (1) A final judgment for the recovery of money or costs in the courts of record in this Commonwealth, whether state or federal, shall act as a lien upon all real estate in which the judgment debtor has any ownership interest, in any county in which the following first shall be done:
 - (a) The judgment creditor, or the judgment creditor's counsel, shall file with the county clerk of any county a notice of judgment lien containing:
 1. The court of record entering the final judgment;
 2. The civil action number of the suit in which the final judgment was entered;
 3. The date the final judgment was entered by the court of record; and
 4. The amount of the final judgment, including principal, interest rate, court costs, and any attorney fees;
 - (b) The judgment creditor, or the judgment creditor's counsel, shall send to the last known address of the judgment debtor or the judgment debtor's attorney of record, by regular first class mail, postage prepaid, or shall deliver to the judgment debtor personally, a copy of the notice of judgment lien, which notice shall include:
 1. The text of KRS 427.060; and
 2. The following notice, or language substantially similar:

"Notice to Judgment Debtor. You may be entitled to an exemption under KRS 427.060, reprinted below. If you believe you are entitled to assert an exemption, seek legal advice."; and
 - (c) The judgment creditor, or the judgment creditor's counsel, shall certify on the notice of judgment lien that a copy thereof has been mailed to the judgment debtor in compliance with paragraph (b) of this subsection.
- (2) Except as provided in subsection (3) of this section, a judgment lien created under this section:
 - (a) Before June 29, 2023, shall expire upon the earlier of:
 1. The expiration of the limitations period for the underlying final judgment under KRS 413.090; or
 2. Ten (10) years after June 29, 2023; and
 - (b) On or after June 29, 2023, shall expire ten (10) years after the date the final judgment was entered by the court of record.
- (3) The expiration of a judgment lien under subsection (2) of this section shall be postponed only if:
 - (a)
 1. At any time prior to the date of expiration:
 - a. A proceeding is filed in a court of record in this Commonwealth, whether state or federal, to enforce the judgment lien; and
 - b. The judgment creditor, or the judgment creditor's counsel, files a notice of the judgment lien enforcement proceeding in the county

where the notice of judgment lien is lodged for record. The notice required under this subparagraph shall contain the following information:

- i. The court of record in which the proceeding was filed;
 - ii. The type of proceeding filed;
 - iii. The case number of the proceeding;
 - iv. The date the proceeding was filed; and
 - v. A certification by the person filing the notice that he or she will comply with subparagraph 3. of this paragraph.
 2. A judgment lien whose expiration has been postponed under this paragraph shall expire on the following date:
 - a. The date a final judgment is entered in the proceeding to enforce the judgment lien; or
 - b. The date the proceeding to enforce the judgment lien is dismissed.
 3. Within ten (10) days of the date of expiration under subparagraph 2. of this paragraph, the judgment creditor, or the judgment creditor's counsel, shall file a notice in the county where the notice of judgment lien is lodged for record. The notice shall contain:
 - a. The information about the judgment lien enforcement proceeding contained in the notice filed under subparagraph 1. of this paragraph; and
 - b. The judgment lien expiration date, as determined under subparagraph 2. of this paragraph; or
 - (b)
 1. Not less than one hundred twenty (120) days prior to the date of expiration:
 - a. A notice of judgment lien renewal is filed by the judgment creditor or the judgment creditor's counsel in the county where the notice of judgment lien is lodged for record. The notice of renewal of the judgment lien shall contain:
 - i. All of the information required under subsection (1)(a) of this section; and
 - ii. The amount of the judgment lien that remains unsatisfied; and
 - b. The judgment creditor or the judgment creditor's counsel sends a copy of the notice of the judgment lien renewal filed under this paragraph to the last known address of the judgment debtor or the judgment debtor's attorney of record, by regular first class mail, postage prepaid, or by personal delivery to the judgment debtor.
 2. A judgment lien may be extended one (1) time in the manner provided under this paragraph for a period not to exceed five (5) years from the date of the expiration established under subsection (2) of this section.
- (4) A county clerk shall enter the notices filed under this section in the lis pendens records of the clerk's office and shall so note the entry upon the original of the

notices.

- (5) In any action involving real property which is subject to a judgment lien, service may be had upon the judgment creditor by serving the judgment creditor or the judgment creditor's counsel as shown in the notice of judgment lien.

Effective: June 29, 2023

History: Amended 2023 Ky. Acts ch. 177, sec. 1, effective June 29, 2023. -- Amended 2013 Ky. Acts ch. 58, sec. 1, effective June 25, 2013. -- Created 1988 Ky. Acts ch. 318, sec. 1, effective July 15, 1988.

Legislative Research Commission Note (6/25/2013). Under the authority of KRS 7.136(1), the Reviser of Statutes has modified the internal numbering of this statute from the way it appeared in 2013 Ky. Acts ch. 58, sec. 1. An internal reference was also changed to correspond to the new numbering system, but the words in the text were not changed.