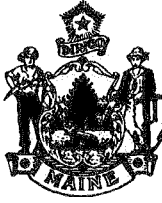


MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 571

H.P. 421

House of Representatives, January 28, 1997

An Act to Clarify the Effect of Failure to Provide Notice of Filing of a Judgment Lien.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FISK of Falmouth. (By Request)

2 **Be it enacted by the People of the State of Maine as follows:**

4 **Sec. 1. 14 MRSA §4651-A, sub-§5,** as enacted by PL 1987, c.
184, §23, is amended to read:

6 **5. Notice to judgment debtor.** A lien created by this
section ~~shall become~~ becomes void and loses its status as a
8 perfected security interest with respect to the right, title and
interest of any particular judgment debtor, and with respect to
10 any other creditors of the judgment debtor unless the judgment
creditor notifies the judgment debtor by certified or registered
12 mail sent to ~~his~~ the judgment debtor's last known address on or
before ~~20 days~~ the 20th day after filing or recording of the
14 existence of the lien. The notice shall ~~shall~~ must contain the
following:

- 16 A. The fact that a lien has been filed;
- 18 B. The date and place the lien was filed;
- 20 C. The amount of the judgment and costs as stated in the
22 execution;
- 24 D. The name of the judgment creditor and attorney, if any,
including their addresses; and
- 26 E. The following statement: "To dissolve this lien, please
28 contact (the creditor or ~~his~~ the creditor's attorney)."

30 **SUMMARY**

32 This bill clarifies that a judgment creditor's failure to
34 provide a timely notice of the filing of a judgment lien results
in the lien losing its status as a perfected security interest
36 against property of the judgment debtor and that the lien also
loses its priority vis-a-vis other creditors of the judgment
38 debtor.