



REPUBLICAN CAUCUS STAFF  
HOUSE OF REPRESENTATIVES  
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## House Republican Staff Analysis

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Bill: HF 244  
Committee: Judiciary  
Date: 3/22/2011  
Member: Rep. Pearson  
Staff: Amanda Freel (1-5230)

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### Summary

Requirements for obtaining a judgment lien release, and penalties for failing to acknowledge satisfaction of the judgment lien by the party receiving the proceeds.

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### Summary of Action

- Subcommittee 1/26/11
  - Committee 2/8/11 (17-0)
  - SF 244 Substituted on House Floor, passed (97-0) 3/22/11
  - Signed by the Governor 3/30/11
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### Section-by-Section Analysis

#### Section 1 Liens of judgments — real estate — homesteads — support judgments.

- In lieu of bond being posted with the clerk of court, the bond can be deposited in one of two locations:
  - Trust account of an attorney licensed to practice in Iowa
  - Deposited in a federally insured depository institution.
- In either case, the bond can only be distributed as the court directs

#### Section 2-Satisfaction of Judgment-Penalty

- If the judgment is paid and the judgment holder has failed to clear the title:
  - Penalty for recovery increased to \$400
  - Eliminated entitlement to obtain attorney fees
- If holder of the judgment cannot be found the payment can be made to the state treasurer as unclaimed property under Ch. 566
- Payment made to treasurer may be done upon court order

#### Section 3-Small Claims Courts

- Allows small claims courts to have jurisdiction when the amount of the judgment is less than \$5,000