



Abstract of Judgment: Putting a Lien on Real Estate after a Judgment

Preparing an <u>Abstract of Judgment, Civil and Small Claims (https://www.courts.ca.gov/documents/ej001.pdf)</u> (EJ-001) is the first step a judgment creditor must take in order to place a lien on a judgment debtor's real property or a judgment debtor's potential recovery in a pending lawsuit.

Putting a lien on real estate gives a judgment creditor the right to be paid from the proceeds of a sale of the debtor's real property. For information on how to foreclose upon a judgment debtor's real property or place a lien on a lawsuit the debtor has against someone else, visit the California Courts' Self-Help Website at How to Collect Your Money (how-collect).

Once you have completed the *Abstract of Judgment, Civil and Small Claims* (EJ-001), you must file the form with the Superior Court that issued the judgment, so that the court clerk can certify the document. You will then need to take the certified abstract to the County Recorder's office to record the document. After recording, you have a judgment lien on any real estate held in the judgment debtor's name in that county.

Related Guides

Bank Levy (https://saclaw.org/resource_library/ej-

bank-levy/)

Debtor's Exam

(https://saclaw.org/resource_library/ej-debtors-

Enforcement of Judgments

(https://saclaw.org/resource_library/enforcement-of-judgments/)

Memorandum of Costs

(https://saclaw.org/resource_library/ej-memorandum-of-costs-after-judgment/)

Wage Garnishment

(https://saclaw.org/resource_library/ej-wage-garnishment/)

Note: This guide is written for Sacramento. Most information should apply throughout California, but if your case is in another county, check with your court for details. Find Your Court (https://www.courts.ca.gov/find-my-court.htm) If your case is in another state, do not use this guide.

Step-by-Step Instructions

1. Complete the Abstract of Judgment Form

To put a judgment lien against real property, you must complete:

Abstract of Judgment, Civil and Small Claims (EJ-001)

Instructions are included at the end of this Guide.

2. Copying and Assembling

Make three copies of your completed Abstract of Judgment, Civil and Small Claims (EJ-001). Staple each of

SACRAMENTO COUNTY PUBLIC LAW LIBRARY



609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org

the photocopies, but leave the original unstapled. The originals will be scanned into the court's filing system, and the staple will damage the scanner.

You will also need to obtain a filed/endorsed (court-stamped) copy of your judgment and memorandum of costs, if you've filed one. If you do not have copies of these documents, get a copy from the court that issued it.

Sacramento Court's Public Portal (https://prod-portal-sacramento-ca.journaltech.com/public-portal/) | Find Your Court (https://www.courts.ca.gov/find-my-court.htm)

3. File Your Abstract of Judgment and Related Documents in Court

File the following items with the court:

- Abstract of Judgment, Civil and Small Claims (EJ-001) (original + 2 copies)
- File-endorsed (stamped) copy of the judgment (2 copies)
- File-endorsed (stamped) copy of any previously-filed Memorandum of Costs after Judgment (MC-012) (2 copies)
- Check or credit card authorization for the filing fee (<u>currently \$40 (https://www.saccourt.ca.gov/fees/docs/fee-schedule.pdf)</u>
- Self-addressed stamped envelope with sufficient postage to return the documents to you.

In Sacramento, file your documents in the dropbox at the Gordon D. Schaber Sacramento County Courthouse, located at 720 Ninth Street, Sacramento, CA 95814, Room 102. The clerk will return the original abstract of judgment to you with the court's seal on it. This may take several weeks.

4. Record the Abstract of Judgment

You will need to record your abstract of judgment in each county where the judgment debtor owns property. You need only record one abstract of judgment per county, even if the debtor owns multiple properties. You may record an abstract of judgment even if the judgment debtor does not currently own property; this will allow a lien to be placed against any property the debtor may acquire in the future.

For property located in Sacramento County, take the original certified *Abstract of Judgment, Civil and Small Claims* to the Sacramento County Recorder's Office, located at 3636 American River Drive, Ste. 110, Sacramento, CA 95864, along with the <u>recording and lien notification fees (http://www.ccr.saccounty.net/Pages/Fees.aspx)</u> (currently \$23 for recording the two-page abstract of judgment, and \$13 per debtor for involuntary lien notification).

Check with your county's recorder for location and price. <u>Sacramento Clerk/Recorder (http://www.ccr.saccounty.net/)</u> | Find Your Recorder (https://www.cdph.ca.gov/Programs/CHSI/Pages/County-Registrars-and-Recorders.aspx)

SACRAMENTO COUNTY PUBLIC LAW LIBRARY



609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org

5. What Happens Next?

The county recorder will provide notice to the debtor that you have recorded the abstract of judgment. You will not be paid automatically, but by putting a judgment lien on real estate, if the debtor refinances or sells the property, you may get paid your money with interest.

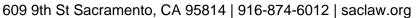
For help

SH@LL (Self-Help at the Law Library) (https://saclaw.org/services/civil-self-help/) (formerly Civil Self Help Center) 609 9th Street, Sacramento CA 95814 (916) 476-2731 (Appointment Request Line)

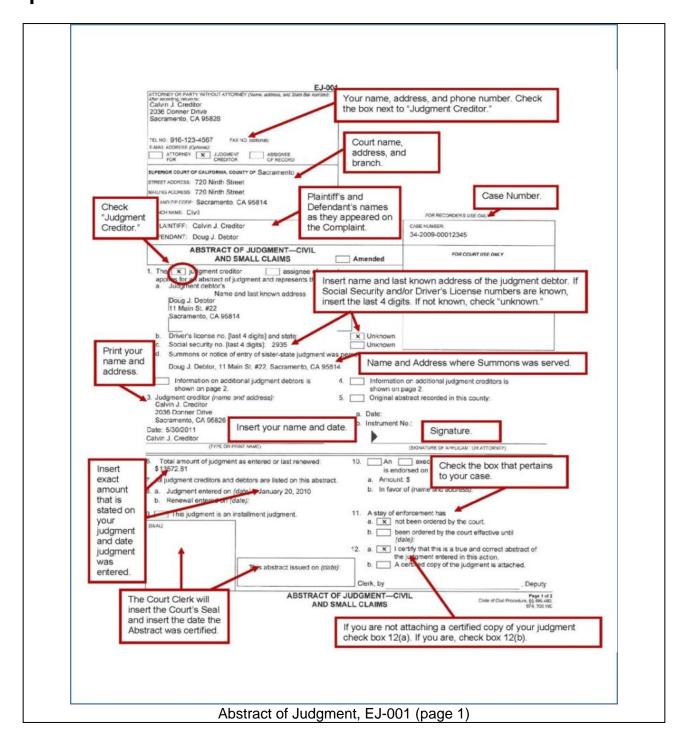
Services Provided: SH@LL provides general information and basic assistance to self-represented litigants on a variety of civil legal issues, including name changes. All assistance is provided by telephone. Visit "What we can help with (https://saclaw.org/services/civil-self-help/#canhelp)" for a list of qualifying cases.

Eligibility: Must be a Sacramento County resident or have a <u>qualifying case (https://saclaw.org/services/civil-self-help/#who)</u> in the Sacramento County Superior Court.

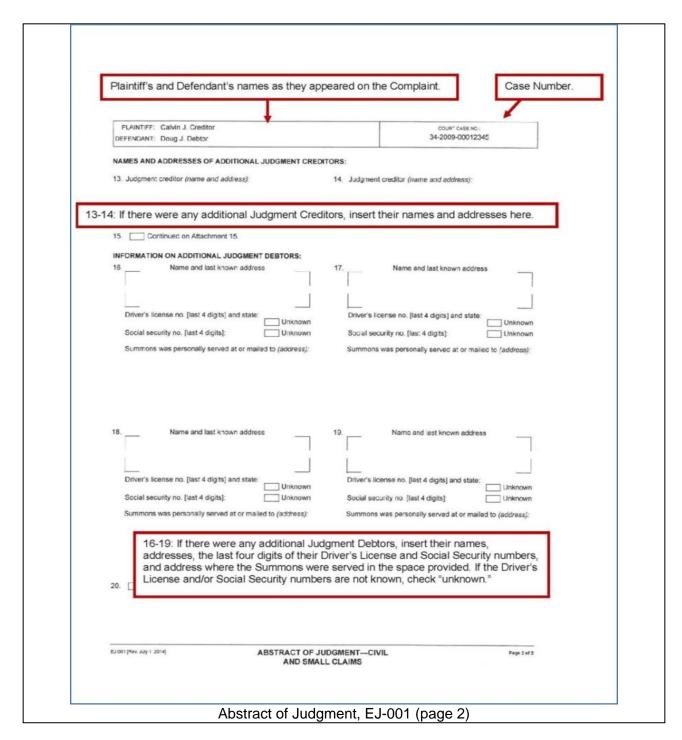
SACRAMENTO COUNTY



Samples



609 9th St Sacramento, CA 95814 | 916-874-6012 | saclaw.org



Date Created 03/30/2023