

Judgment Lien Research Guide

Overview

This research guide includes information and resources on judgment liens, including information on the release of a judgment lien. A judgment lien is a “debt-repayment security for one or more creditors when a court order places a claim on a debtor’s property situated within the court’s jurisdiction.” (*Black’s Law Dictionary, 11th ed.*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Property Code

- Ch. 52 Judgment Lien
<https://statutes.capitol.texas.gov/Docs/PR/htm/PR.52.htm>

Texas Rules of Civil Procedure (TRCP)

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 309 In Foreclosure Proceedings
- Rule 310 Writ of Possession
- Rule 735 Foreclosures Requiring a Court Order
- Rule 736 Expedited Order Proceeding

Secondary Resources in Print

Vernon’s Texas Codes Annotated KFT 1230.5

- Property, Vol. 5, Ch. 52 Judgment Lien

Texas Collections Manual REF KFT 1367.C6 T49

- Vol. 2, Ch. 27 Postjudgment Remedies – Judgment Lien and Abstract of Judgment

Texas Forms Legal and Business REF KFT 1352.A65T4

- Vol. 7A, Ch. 18 Liens

Texas Forms Pleading and Practice REF KFT 1730.A65 T482

- Vol. 8, Ch. 152 Judgments
 - §152:76 Judgment Liens
 - §152:81 Petition-To foreclose judgment lien

Texas Torts and Remedies REF KFT 1395.T49

- Vol. 6, §105.3(b) Lien on Client’s Property

Texas Practice Series REF KFT 1280.T492

- Vol. 11, §14.22-§14:24 Statutory landlord’s liens on tenant’s property; Statutory landlord’s lien...notice requirement; Statutory tenant’s line on landlord’s property
- Vol. 22, §9.10 Liens (Taxation)
- Vol. 33, §18.22 Enforcement-Child support lien and foreclosure

Texas Litigation Guide REF KFT 1730.T4

- Vol. 9, Ch. 132 Enforcement of Judgments
 - §132.02 Judgment Lien on Real Property
 - §132.21 Conflicting Lien Claims
 - §132.51 Procedure for Judgment Debtor
 - §132.101 Release of Judgment Lien

Texas Practice Guide KFT 1280.T4931

- Civil Trials Vol. 2, §18:1-18:38 Judgment Liens general discussion
- Cred. Vol. 2, Ch. 9 Judgment Liens on Real Property

Texas Real Estate Forms Manual KFT 1326.T4

- Vol. 1, Judgment Lien
 - §2.143 what constitutes
 - §2.26 when canceled

West's Texas Forms REF KFT 1268.W47

- Vol. 1A, Ch. 26 Judgment Liens on Texas Real Property Owned by Debtors
- Vol. 1A, Ch. 32 Release of Judgments and Liens
- Vol. 5, Ch. 34 Post-Judgment Remedies and Special Motions

McDonald & Carlson Texas Civil Practice REF KFT 1730.M3

- Vol. 5, Ch. 31 Enforcement of Domestic Judgment
- Vol. 5, Ch. 32 Enforcement of Out-of-State and Federal Judgments

Texas Jur KFT 1265.T48

- Vol. 48, Ch. 527 Judgment Lien on Real Property

Texas Jur Forms KFT 1730.A65

- Vol. 8, §152.76 Judgment Liens

Rights of Debtors in Texas

<https://texaslawhelp.org/article/rights-of-debtors-in-texas>

What "Judgment Proof" Means

<https://texaslawhelp.org/article/what-judgment-proof-means>

Judgment Liens and the Texas Homestead

<https://lonestarlandlaw.com/judgement-liens-and-the-texas-homestead/>

How Do You Enforce a Judgment in Texas? (HC Law Firm)

<https://www.hchlawyers.com/blog/2021/october/how-do-you-enforce-a-judgment-in-texas/>

Partial Release of Judgment Lien (Gordon Lusky)

<https://gordonlusky.com/practice-areas/litigation/consumer-litigation/partial-release-of-judgment-lien/>

CLE Materials

Advanced Real Estate Law KFT 1312.A75

- 2017 Ch. 14 HOA Lien Foreclosures
- 2017 Ch. 30 Texas Abstracts of Judgment and Judgment Liens

Real Estate 101 KFT 1312.A75 R22

- 2016 Ch. 8 Voluntary and Involuntary Liens

Online Resources

Tarrant County Justice of the Peace Precinct One – Forms – Release of Judgment

<https://www.tarrantcountytexas.gov/en/justice-of-the-peace-courts/justice-1/forms.html>

Small Claims Cases (TSLL)

<https://guides.sll.texas.gov/small-claims/judgment-lien#:~:text=A%20judgment%20lien%20lasts%20for,type%20of%20exempt%20real%20property.>

Judgment Liens on Property in Texas (NOLO)

<https://www.nolo.com/legal-encyclopedia/judgment-liens-texas-46859.html>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)