



# GWEN MARSHALL

## CLERK OF THE CIRCUIT COURT AND COMPTROLLER

WWW.CLERK.LEON.FL.US

CIVIL CUSTOMER ASSISTANCE DIVISION ♦ 301 S. MONROE STREET, #100 ♦ TALLAHASSEE, FL 32301  
PHONE (850) 606-4000 OPTION #2 ♦ FAX (850) 606-4179

07/25/2014

### INFORMATION ABOUT YOUR JUDGMENT

The Plaintiff/Judgment Creditor have received a copy of a judgment as entered by the Court. Possession of the judgment, however, does not mean that the Defendant/Judgment Debtor will automatically pay off the amount due under the judgment. While the parties may have agreed on settlement of the debt, enforcement of the judgment is the Plaintiff's responsibility. While Florida law prohibits the Leon County Clerk's Office from offering advice about how to enforce a judgment, this office can explain the procedures for recovering under the judgment.

Anyone may obtain a certified copy of a final judgment in the Clerk's Office. The fees for copies, certification, and recording are listed on our website at [http://www.clerk.leon.fl.us/index.php?section=3&server=&page=general\\_information/schedule\\_of\\_fees/index.html](http://www.clerk.leon.fl.us/index.php?section=3&server=&page=general_information/schedule_of_fees/index.html). The recorded judgment will act as a lien against the Defendant's real property for 10 years. See Section 55.10(1), Florida Statutes. The lien may be extended for another 10 years, by re-recording a certified copy of the judgment **and** simultaneously recording an affidavit with the current address of the person who has a lien as a result of the judgment. See Section 55.10(2), Florida Statutes. Statutes may be viewed online at <http://www.flsenate.gov/Statutes/index.cfm?Tab=statutes&submenu=-1>.

The Plaintiff may also file a Judgment Lien Certificate with the Department of State to obtain a lien on the Defendant's personal property located anywhere in Florida. These liens lapse after 5 years, but can be extended another 5 years by filing another judgment lien certificate. See Sections 55.204 (1) & (3) Florida Statutes. Visit <http://www.sunbiz.org> for more information and forms.

Further, the Plaintiff may ask the Clerk's Office to issue a Writ of Execution (directing the sheriff to levy on available non-exempt personal or real property of the Defendant) or Writ of Garnishment (seeking to have a portion of the Defendant's wages withheld). See Florida Rules of Civil Procedure 1.550 and 1.907; Florida Small Claims Rule 7.200; and Chapter 77, Florida Statutes. Court rules may be viewed online at <http://www.floridabar.org/>.

Finally, there are various forms on our website to assist the parties. Examples include: Satisfaction of Judgment; general motion forms for bringing an issue to the judge's attention; and pamphlets and brochures.

If you have additional questions, you should contact an attorney. There are a number of legal aid offices around the state that help people who need legal assistance in civil matters but cannot afford a lawyer. In addition, there are programs that recruit lawyers to take cases "pro bono", or for free. In Tallahassee, two contacts are Legal Services of North Florida at 385-9007, or the Tallahassee Bar Association Lawyer Referral Service at 681-0601.