

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 745
HOUSE BILL 1151

AN ACT TO HAVE ADDRESSES ADDED TO JUDGMENT DOCKET ENTRIES AND TO
PROVIDE FOR TIMELY ENTRY OF PAYMENT ON THE JUDGMENT DOCKET.

The General Assembly of North Carolina enacts:

Section 1. G.S. 1-233 is amended by rewriting the second sentence thereof to read:

"The entry must contain the names of the parties, the address, if known, of each party against whom judgment is rendered, and the relief granted, date of judgment, and the date, hour and minute of docketing; and the clerk shall keep a cross-index of the whole, with the dates and numbers thereof; however, error or omission in the entry of the address or addresses shall in no way affect the validity, finality or priority of the judgment docketed."

Sec. 2. G.S. 1-239 is amended by adding a new subsection to read:

"(c) Upon receipt by the judgment creditor of any payment of money upon a judgment, the judgment creditor shall within 60 days after receipt of the payment give satisfactory notice thereof to the clerk of the superior court in which the judgment was rendered, and the clerk shall thereafter promptly enter the payment on the judgment docket of the court, and the clerk shall immediately forward a certificate thereof to the clerk of the superior court of each county to whom a transcript of the judgment has been sent, and the clerk of each superior court shall thereafter promptly enter the same on the judgment docket of the court and file the original with the judgment roll in the action. If the judgment creditor fails to file the notice required by this subsection within 30 days following written demand by the debtor, he may be required to pay a civil penalty of one hundred dollars (\$100.00) in addition to attorneys' fees and any loss caused to the debtor by such failure."

Sec. 3. This act shall become effective October 1, 1981.

In the General Assembly read three times and ratified, this the 30th day of June, 1981.