

Explanatory Comment

In 2003, the Supreme Court adopted new Rules 3021 et seq. governing judgment liens and the revival of judgment liens. At that time, new Rule 3022(b)(3) suspended only Section 8141(3) of the Judicial Code because its provision governing lien priority for verdicts from the time they are recorded by the court was inconsistent with Rule 3022 which provides for lien priority as of the date when a verdict is entered in the judgment index.

Sections 8141(4) and (5) of the Judicial Code are also being suspended because they are inconsistent with Rule 3023. Both Sections 8141(4) and (5) create a lien that is earlier in time than what Rule 3023 provides. Since these statutory provisions can create hidden liens, the Supreme Court has suspended both statutory provisions.

By the Civil Procedural
Rules Committee

Stewart L. Kurtz
Chair