

# HOUSE BILL No. 6025

July 22, 1992, Introduced by Rep. Perry Bullard and referred to the Committee on Judiciary.

A bill to amend Act No. 236 of the Public Acts of 1961, entitled as amended  
"Revised judicature act of 1961,"  
as amended, being sections 600.101 to 600.9947 of the Michigan Compiled Laws, by adding section 6138.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 236 of the Public Acts of 1961, as  
2 amended, being sections 600.101 to 600.9947 of the Michigan  
3 Compiled Laws, is amended by adding section 6138 to read as  
4 follows:

5 SEC. 6138. (1) IF A JUDGMENT DEBTOR SATISFIES IN WHOLE A  
6 JUDGMENT OR THE PORTION OF A JUDGMENT THAT THE JUDGMENT DEBTOR IS  
7 LEGALLY REQUIRED TO SATISFY AS TO A JUDGMENT CREDITOR, THE  
8 JUDGMENT CREDITOR OR JUDGMENT CREDITOR'S ATTORNEY OF RECORD SHALL  
9 SIGN, ACKNOWLEDGE, AND FILE A SATISFACTION OF JUDGMENT AS TO THE

1 JUDGMENT DEBTOR. THE JUDGMENT CREDITOR OR JUDGMENT CREDITOR'S  
2 ATTORNEY OF RECORD SHALL FILE THE SATISFACTION OF JUDGMENT WITH  
3 THE CLERK OF THE COURT IN WHICH THE JUDGMENT WAS ENTERED BEFORE  
4 THE EXPIRATION OF 14 DAYS AFTER THE DATE THAT THE JUDGMENT DEBTOR  
5 SATISFIES THE JUDGMENT OR PORTION OF A JUDGMENT AS DESCRIBED IN  
6 THIS SUBSECTION.

7 (2) IF A JUDGMENT CREDITOR OR THE JUDGMENT CREDITOR'S ATTOR-  
8 NEY OF RECORD DOES NOT COMPLY WITH SUBSECTION (1), A JUDGMENT  
9 DEBTOR MAY FILE A MOTION AS PROVIDED BY COURT RULE FOR THE ENTRY  
10 OF AN ORDER THAT A JUDGMENT OR PORTION OF A JUDGMENT HAS BEEN  
11 SATISFIED.

12 (3) IF A JUDGMENT DEBTOR FILES A MOTION UNDER SUBSECTION  
13 (2), THE COURT SHALL ASSESS COSTS AGAINST THE JUDGMENT CREDITOR  
14 OR JUDGMENT CREDITOR'S ATTORNEY OF RECORD, OR BOTH, EQUAL TO THE  
15 EXPENSES REASONABLY INCURRED BY THE JUDGMENT DEBTOR IN FILING THE  
16 MOTION AND APPEARING AT THE HEARING ON THE MOTION, INCLUDING REA-  
17 SONABLE ATTORNEY FEES, UNLESS THE CIRCUMSTANCES MAKE THE ASSESS-  
18 MENT OF COSTS UNJUST.