

H.629

Introduced by Representative LaLonde of South Burlington

Referred to Committee on

Date:

Subject: Court procedure; limitations of time on commencement of actions

Statement of purpose of bill as introduced: This bill proposes to establish that the Family Division of the Superior Court shall have exclusive jurisdiction over any actions of judgments issued by the Family Division and clarify the tolling of judgments issued by the Family Division.

An act relating to judgments issued by the Family Division of the Superior Court

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 12 V.S.A. § 506 is amended to read:

§ 506. JUDGMENTS

(a) ~~Actions~~ Notwithstanding subsection (b) of this section, actions on judgments and actions for the renewal or revival of judgments shall be brought in the Civil Division of the Superior Court by filing a new and independent action on the judgment within eight years after the rendition of the judgment, and not after.

1       (b) The Family Division of the Superior Court shall have exclusive  
2       jurisdiction over actions on judgments issued by Family Division.

3           (1) Renewal of a Family Division judgment for money or property shall  
4       be initiated specifically by a motion to renew in the county that issued the  
5       underlying judgment within eight years after the rendition of the judgment or  
6       when the last payment or action required is due, whichever occurs last. A  
7       motion to renew a Family Division judgment for money or property shall be  
8       served upon all respondent parties in the manner prescribed for the filing of a  
9       new action for divorce or parentage. A judgment issued by the Family  
10       Division pursuant to a motion to renew such a judgment shall restart the eight-  
11       year limitation on actions on judgments.

12           (2) The filing of a motion to renew shall pause tolling of the statute of  
13       limitations until the court rules upon the motion.

14           (3) Any of the following shall restart the statutory limitation in  
15       subdivision (1) of this subsection:

16           (A) a written, signed acknowledgement of the debt, action, or  
17       obligation ordered in the judgment;

18           (B) any payment made by an obligor on a Family Division judgment,  
19       including by wage withholding;

20           (C) any affirmation action taken by an obligor toward compliance  
21       with the provisions of a Family Division judgment; or

1           (D) any payment made by a third party on behalf of the obligor  
2           specifically toward the Family Division judgment.

3           (4) All property or money judgments issued by the Family Division  
4           shall bear the following statement: “RENEWAL OF A FAMILY DIVISION  
5           JUDGMENT FOR MONEY OR PROPERTY SHALL BE INITIATED BY  
6           MOTION TO RENEW WITHIN EIGHT YEARS AFTER RENDITION OF  
7           THE JUDGMENT OR IT SHALL BE TIME BARRED.”

8           Sec. 2. EFFECTIVE DATE

9           This act shall take effect on July 1, 2026.