

## CHAPTER 548

## JUDGMENTS

548.08 Judgment roll, how made up.  
548.15 Discharge of record.

548.22 Confession of judgment.  
548.24 Submission without action.

**548.08 JUDGMENT ROLL, HOW MADE UP.**

Upon entering the judgment, the clerk shall forthwith attach together and file the following papers, which shall constitute the judgment roll:

(1) If the complaint be not answered, the summons and proof of its service, the complaint, proof that no answer has been received, any report, decision or order filed in the case, and the judgment;

(2) In all other cases, the summons and pleadings, notices of motion and orders made thereon, a copy of the judgment, the verdict, decision, or report, all offers of the defendant, and all orders involving the merits of the action and affecting the judgment. If any original paper be lost or withheld, the court may permit a copy to be filed and used in its stead. A settled case or bill of exceptions, if one is filed, shall be attached to the judgment roll upon the request of either party.

**History:** 1981 c 121 s 2

**548.15 DISCHARGE OF RECORD.**

Upon the satisfaction of a judgment, whether wholly or in part, or as to all or any of several defendants, the clerk shall enter the satisfaction in the judgment roll, and note the same, with the date thereof, on the docket. If the docketing is upon a transcript from another county, the entry on the docket shall be sufficient. A judgment shall be deemed satisfied when there is filed with the clerk:

(1) An execution satisfied, to the extent stated in the sheriff's return thereon;

(2) A certificate of satisfaction signed and acknowledged by the judgment creditor;

(3) A like certificate signed and acknowledged by the attorney of the creditor, unless his authority as attorney has previously been revoked and an entry of the revocation made upon the register; but the authority of an attorney to satisfy a judgment shall cease at the end of six years from its entry;

(4) An order of the court, made on motion, requiring the execution of a certificate of satisfaction, or directing satisfaction to be entered without it;

(5) Where a judgment is docketed on transcript, a copy of either of the foregoing documents, certified by the clerk of the court in which the judgment was originally entered and in which the originals were filed.

A satisfaction made in the name of a partnership shall be valid if executed by a member thereof while the partnership continues. The judgment creditor, or his attorney while his authority continues, may also satisfy a judgment of record by a brief entry on the register, signed by him and dated and witnessed by the clerk, who shall note the satisfaction on the margin of the docket. When a judgment is satisfied otherwise than by return of execution, the judgment creditor or his attorney shall give a certificate thereof.

**History:** 1981 c 121 s 3

**548.22 CONFESSION OF JUDGMENT.**

A judgment for money due or to become due, or to secure any person against a contingent liability on behalf of the defendant, or for both, may be entered in the district court by confession and without action, upon filing with the clerk a statement, signed and verified by the defendant, authorizing the entry of judgment for a specified sum. If the judgment be for money due or to become due, the writing shall state concisely the facts out of which the debt arose, and show that the sum confessed is justly due or to become due. If the judgment be for the purpose of securing the plaintiff against a contingent liability, the writing shall state concisely the facts constituting the liability, and show that the sum confessed does not exceed the same. The clerk shall enter judgment for the amount specified, as in other cases, and shall attach the judgment to the statement, which shall constitute the judgment roll. The judgment shall be final, and, unless special provision be made for a stay, execution may issue immediately.

**History:** 1981 c 121 s 4

**548.24 SUBMISSION WITHOUT ACTION.**

Parties to a controversy which might be the subject of a civil action may, without action, agree upon a case containing the facts upon which the controversy depends, and present a submission of it to any court which would have jurisdiction if an action had been brought. It must appear by affidavit that the controversy is real, and that the proceedings are had in good faith to determine the rights of the parties. The court shall hear and determine the case at a general or special term, and order judgment on it as in a civil action. Judgment shall be entered as in other cases, and the case, submission, and the judgment shall constitute the judgment roll. The judgment may be enforced, and shall be subject to appeal, as in other cases.

**History:** 1981 c 121 s 5