
Judgment for Divorce - deed

Posted by Samantha - 2008/01/05 19:57

If the judgment for divorce states which spouse gets the home, does a need deed have to be filed referencing the divorce judgment? Or just file the judgment? Or both? Thx.

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Re:Judgment for Divorce - deed

Posted by Sumo - 2008/01/05 20:15

It is always a good idea to file both. You do not want to create a title issue at closing because something does not seem clear. More is better in this situation.

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Re:Judgment for Divorce - deed

Posted by Jacob - 2008/01/06 16:41

If the judgment for divorce states that the property is to be transferred to a certain spouse, then you can just file the judgment for divorce. A lot of divorce attorneys don't file new deeds. I recommend filing a new deed and attaching the judgment for divorce to it. You may also want to add a co owner or put life estate language in the deed to transfer the property at the death of the property owner.

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Re:Judgment for Divorce - deed

Posted by Sumo - 2008/01/06 16:56

You can just file the judgment of divorce, but your way is better. Filing clear documents will avoid any chain of title issues in the future. Fixing clouded title issues later is much more difficult than taking certain steps up front to make sure everything is clear is much less trouble and less costly.

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