

Registered judgments - What does it mean

What happens when a county court orders me to pay an amount of money?

If a court has ordered you to pay an amount of money (called 'having judgment entered against you'), details of the judgment will usually be entered on the Register of Judgments, Orders and Fines (called 'registration'). Most entries stay on the Register for six full years.

Organisations such as banks, building societies and credit companies use the information on the Register when someone applies for credit such as a loan or overdraft. It helps them decide whether or not that person would be able to pay off the credit.

How can I find out if a judgment is registered against me?

If you are not sure whether any judgments have been registered against you or by which court, you can search the Register.

You can do this on-line by visiting www.registry-trust.org.uk or by sending a request form or a letter to the Registrar:

Registry Trust Ltd
173 - 175 Cleveland Street
London W1T 6QR

Or you can phone them on 020 7380 0133.

You will have to pay a fee. You should make your cheque or postal order for the fee payable to 'Registry Trust Ltd'. You can get information about the fee and a request form from any court or from Registry Trust Ltd.

Registry Trust will send you details of any entries they have against your name and address. The details will include:

- the amount and date of the judgment;
- the name of the court where the judgment was given;
- the claim number.

What is the effect of registration?

If you have a judgment registered against you, you may find it difficult to get credit. But this may not be the only reason. If you would like to know more about how credit companies decide whether to lend money you can get a leaflet called 'Credit explained' from the Information Commissioner's Office.

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Data protection helpline: 01625 545 745

Publications order line: 08453 091 091

e-mail: mail@ico.gsi.gov.uk

website: www.informationcommissioner.gov.uk

Can I have my judgment removed from the Register?

You can only have your judgment removed from the Register if:

- you paid the full amount due **within one month** of the date of the judgment; or
- the judgment is **set aside** by the court. (This means that the judge has withdrawn the judgment, either because it is wrong or so that you can defend the claim.)

If you paid the amount due **more than a month** after the date the judgment was given, the entry will remain on the Register for six full years. But you can have it marked 'satisfied'. This will show anyone searching the Register that you have paid the judgment and the date you paid it.

Marking an entry 'satisfied' or having it removed from the Register does not guarantee that you will be given credit if you ask for it.

How can I have a registration removed or marked 'satisfied'?

You should apply to the court where your case was last dealt with using form N443. Your application must include the claim number, your full name, date of birth, address, telephone number and the name of the court where the judgment or order is currently held. The claim number is important as the court will not be able to find the record of your case without it.

With your application you should send:

- written confirmation (from the person you owed the money to) that you have paid the judgment; and
- a fee for each case you wish to have removed or marked 'satisfied'. (The court will tell you what the fee is.)

If you are sending a cheque or postal order for the fee, make it payable to 'HMCS'. If you pay by cheque, the court will not be able to remove the judgment or mark it 'satisfied' until your cheque has cleared (usually 14 days).

If you have not been able to get written confirmation from the person you owed money to, you can still ask the court to remove the judgment or mark it 'satisfied'. If the court records do not show that you have paid your judgment, court staff will write to the person you owed money to.

When that person replies to the court, or after one month of the court's letter if they do not get a reply, the court will process your request and the court will send you confirmation that the entry on the Register has either been removed or marked 'satisfied'.

Registry Trust Ltd will then pass this information on to the credit reference agencies. But it may take a few weeks for your credit record to be updated.

Can I amend my details on the register?

If your details on the register are incorrect or incomplete you may ask the Registrar to check your entry with the court. The Registrar will write to you to confirm that the entry has been queried with the court's records and has either been amended by the court or that the court has confirmed your details are as they appear on the court's records.

You will only be able to change your details on the register if a judge gives you permission. Court staff will be able to advise you on how to make an application.

‘Credit repair’

You may have seen advertisements for companies offering to help your credit rating (often called ‘credit repair’). For a fee, the company will tell you how to apply to have judgments against you set aside (withdrawn). They will usually tell you that this will allow you to have the judgments removed from the Register. Many provide a ‘do it yourself’ guide to having judgments removed.

Remember, entries on the Register can only be removed by the court, and only in very limited circumstances. For example, the judgment can only be set aside if it was incorrect at the time it was entered. It cannot be set aside simply because it has been paid. If you tell the court something that you know is wrong, you may be prosecuted.

It is not illegal to help someone with genuine reasons to have a judgment cancelled or removed. But court procedures are relatively straightforward and can normally be dealt with easily and cheaply without the help of a credit repair company.

If you think that there is a good reason why the judgment should be set aside, court staff will give you the forms you need and free advice on what to do. But you will need to pay a small fee to have a judgment set aside. Court staff can tell you what this fee is or you can get further information from the County Court Fees leaflet (available from any county court office). Information about how to have a judgment set aside is also included in the leaflet ‘**EX20 - Paying my judgment – what do I do?**’ which you can get from any county court, or by visiting our website at www.hmcourts-service.gov.uk

Remember, this leaflet can only give you a general idea of what is likely to happen. It cannot explain everything about court rules and procedures. You may be able to get free legal advice from a law centre. A Citizens Advice Bureau or consumer advice centre may also be able to help.

For free legal information, help and advice contact Community Legal Service Direct on 0845 345 4 345 or www.clsdirect.org.uk