



STATE OF DELAWARE
THE JUSTICE OF THE PEACE COURT

5 E. PINE STREET
GEORGETOWN, DELAWARE 19947
TELEPHONE: (302) 856-5871
FAX: (302) 856-5919

2 PENNS WAY
SUITE 100 B
NEW CASTLE, DELAWARE 19720
TELEPHONE: (302) 323-4530

ALAN G. DAVIS
CHIEF MAGISTRATE

POLICY DIRECTIVE 26-275

**TO: ALL JUSTICES OF THE PEACE
ALL JUSTICE OF THE PEACE EMPLOYEES**

**FROM: ALAN G. DAVIS
CHIEF MAGISTRATE** 

DATE: MARCH 3, 2026

**RE: REQUIREMENTS OF DMV ISSUED LIEN CERTIFICATES IN
GARAGEKEEPER'S LEIN, ABANDONED PROPERTY, AND
EXECUTION (LEVY) ACTIONS**

PURPOSE:

The purpose of this directive is to clarify and reaffirm the Justice of the Peace Court's requirement that lien certificates submitted in support of certain civil enforcement actions must be obtained directly from the appropriate Division of Motor Vehicles (DMV). This requirement applies to actions involving Garagekeeper's liens, abandoned property, and executions (levies), all of which require identification and notice to vehicle owners and lienholders. This directive rescinds the temporary accommodation made during the COVID-19 pandemic which allowed the use of lien information obtained from third-party vendors.

LEGAL AUTHORITY:

Pursuant to 25 Del. C. § 3903(b) and § 3906, a Garagekeeper seeking to enforce a lien on a motor vehicle must provide notice to all registered owners and known lienholders of record. Additionally, Justice of the Peace Court Civil Rule 69(g)(1)(D) requires the submission of a lien certificate issued by the Delaware DMV, and Rule 69(g)(1)(E)

provides for similar requirements in the case of out-of-state vehicles.

The same or similar principles apply when vehicles are subject to court actions involving abandoned property or executions (levies), in which the identity of owners and lienholders must be verified before proceeding with disposition of the property.

BACKGROUND:

During the COVID-19 pandemic, the Justice of the Peace Court adopted temporary procedural accommodations to address the extraordinary challenges faced by litigants and court staff. Among those accommodations, the Court allowed litigants to submit lienholder information obtained from third-party vendors who accessed DMV records.

However, the DMV has since advised the Court that such third-party information is not a certified record and cannot be endorsed by the DMV. Third-party reports themselves include disclaimers stating that the data provided should not be treated as a certified or official record.

In light of this, and in accordance with the requirements of Title 25 and Civil Rule 69(g), the Court will no longer accept third-party lien information in actions involving vehicles.

POLICY:

Effective immediately, all Justice of the Peace Courts shall require lien certificates obtained directly from the appropriate DMV (Delaware or other state of registration) in all actions where identification of vehicle ownership or lienholder interest is required, including Garagekeeper's lien actions, abandoned property matters, and execution (levy) actions. Specifically:

1. Delaware Vehicles: A certified lien certificate must be obtained from the Delaware DMV.
2. Out-of-State Vehicles: An equivalent certified lien certificate must be obtained directly from the out-of-state DMV or appropriate vehicle registration authority.

The Court will not accept lienholder information obtained from third-party vendors, websites, or intermediaries. Such documentation is insufficient to satisfy the statutory and court rule requirements and shall result in the denial or dismissal of the relevant court action.

EXPLANATORY NOTE:

The Court recognizes that the COVID-19 pandemic created extraordinary circumstances that necessitated flexibility in certain procedural requirements. However, with the return to normal operations, such flexibility conflicts with established legal requirements. This directive ensures the integrity of vehicle-related proceedings and protects the rights of registered owners and lienholders.

IMPLEMENTATION:

All judges and court staff shall ensure that filings related to Garagekeeper's liens, abandoned vehicles, and executions involving motor vehicles conform to the requirements of this directive. Litigants may be directed to the appropriate DMV to obtain the necessary lien certificates prior to proceeding.

EFFECTIVE: MARCH 3, 2026

Cc: Hon. Collins J. Seitz, Jr.
Hon. Kathaleen S. McCormick
Hon. Eric M Davis
Hon. Carl Danberg
Hon. Michael K. Newell
Kenneth Keleman, State Court Administrator
Sarah Bowers, State Court Administrator
All Justice of the Peace Courts
Elizabeth Petrick, Justice of the Peace Court Administrator
Stephanie Parker, Justice of the Peace Deputy Court Administrator
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Nathan Kingree, Justice of the Peace Court Staff Attorney
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Roger Roof, Operations Manager
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