

Judicial Foreclosure Timeline Chart (AZ)

A Practical Guidance® Practice Note by
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This chart depicts the timeline for a judicial foreclosure of real property in Arizona.

While both mortgages and deeds of trust are permitted by Arizona statute, a deed of trust is the preferred security device in Arizona. This is because Arizona law permits a lender to initiate and conclude a trustee's sale pursuant to a deed of trust within 91 days, without the requirement of court intervention or a redemption period. (There is one exception: the Internal Revenue Service is entitled to a 120-day redemption period.) However, there are circumstances where judicial foreclosure is preferable and/or necessary. For example, a trustee's sale of residential property that qualifies under Ariz. Rev. Stat. § 33-814

precludes any recovery of a deficiency judgment, while a judicial foreclosure only precludes recovery of a deficiency of a purchase money secured loan. In addition, foreclosing judicially permits a lender to accelerate the loan. Finally, judicial foreclosure affords the lender the ability to have any issues related to the loan documentation or existing claims resolved in an orderly manner.

For a chart explaining the timeline for a nonjudicial foreclosure in Arizona, see [Trustee's Sale Timeline Chart \(AZ\)](#).

For general guidance on foreclosure in Arizona, see [Commercial and Residential Foreclosure \(AZ\)](#) and [Foreclosure Resource Kit \(AZ\)](#).

Judicial Foreclosure

File Complaint										
Service	Answer	Default				MSJ	Response Reply Hearing			
20 Days	20 Days	10 Days	120 Days			60 Days		30 Days		6 months

Lawrence E. Wilk, Shareholder, Jaburg Wilk

For more than three decades, Lawrence E. Wilk has represented creditors, trustees, receivers, and debtors in significant bankruptcy cases in federal, state, and bankruptcy courts. His clients include banks, insurance companies, leasing companies, and private parties with investments secured by real property, commercial equipment, accounts receivable, and intangible property. An experienced and adept negotiator, Larry has assisted in restructuring and working out non-performing loans for clients. And, if the loans cannot be restructured, he has conducted hundreds of judicial and non-judicial foreclosures.

Larry has unique expertise in both multi-level marketing and Ponzi schemes having represented court-appointed receivers to recover significant monies invested through fraudulent schemes. He has been pivotal in several of the largest fraud cases arising in Arizona, which include real estate holdings, mortgage servicing, escrow, affinity investing, and a multi-level marketing jewelry company.

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Well-versed in commercial litigation, Cori has represented clients as both plaintiff and defense counsel. At previous law firms, she helped clients navigate and resolve business disputes as well as representing institutional lenders in their creditor's rights matters. She has appeared in many Arizona courts on behalf of clients.

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