

ENROLLMENT(S)

kwiktag®

103 202 128



COUNCIL OF THE DISTRICT OF COLUMBIA

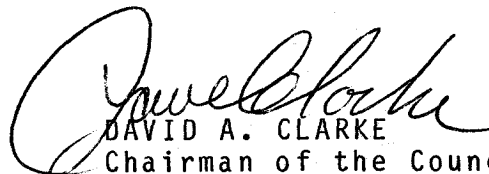
NOTICE

D.C. LAW 8-173

"Uniform Enforcement of Foreign Judgments
Act of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-56 on first and second readings, June 26, 1990, and July 10, 1990, respectively. Following the signature of the Mayor on July 18, 1990, this legislation was assigned Act No. 8-240, published in the August 3, 1990, edition of the D.C. Register, (Vol. 37 page 5005) and transmitted to Congress on July 20, 1990 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-173, effective October 2, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 20,23,24,25,26,27,30,31

August 1,2,3

September 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27,28

October 1

OCT 02 1990

D.C. LAW 8 - 173

Enrolled Original

Codification
District of Columbia Code
New Subchapter II of Chapter 3
of Title 15
(1991 Supplement)

AN ACT

D.C. ACT 8 - 240

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 18 1990

To amend title 15 of the District of Columbia Code to provide an expeditious and simple procedure to enforce a foreign judgment in the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Uniform Enforcement of Foreign Judgments Act of 1990".

Sec. 2. Chapter 3 of Title 15 of the District of Columbia Code is amended as follows:

Chapter 3 of
Title 15
Table of Contents

(a) By amending the table of contents by designating section 15-301 through 15-323 as "Subchapter I. Local Judgments and Decrees."; and

(b) By adding a new Subchapter II to read as follows: "Subchapter II. Foreign Judgments.

"Sec.

"15-351. Definitions.

"15-352. Filing and status of foreign judgments.

"15-353. Notice of filing.

"15-354. Stay.

"15-355. Fees.

"15-356. Optional procedure.

"15-357. Uniformity of interpretation.

"Sec. 15-351. Definitions

New Section
15-351

"For the purposes of this subchapter, the term:

"(1) "District" means the District of Columbia.

"(2) "Foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court that is entitled to full faith and credit in the District.

"(3) "Superior Court" means the Superior Court of the District of Columbia.

"Sec. 15-352. Filing and status of foreign judgments.

New Section
15-352

"A copy of any foreign judgment authenticated in accordance with the laws of the District may be filed in the Office of the Clerk of the Superior Court ("Clerk"). A

foreign judgment filed with the Clerk shall have the same effect and be subject to the same procedures, defenses, or proceedings for reopening, vacating, or staying as a judgment of the Superior Court and may be enforced or satisfied in the same manner.

"Sec. 15-353. Notice of filing.

New Section
15-353

"(a) At the time of the filing of the foreign judgment, the judgment creditor or the judgment creditor's lawyer shall make and file with the Clerk an affidavit that sets forth the names and last known addresses of the judgment debtor and the judgment creditor.

"(b) Promptly upon the filing of the foreign judgment and the affidavit, the Clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and address or name and post office address of the judgment creditor and the judgment creditor's lawyer, if any, in the District. The judgment creditor may mail a notice of the filing of the foreign judgment to the judgment debtor and may file proof of mailing with the Clerk. Lack of mailing notice of filing by the Clerk shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

"Sec. 15-354. Stay.

New Section
15-354

"(a) Upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which the judgment is rendered, and if the judgment debtor shows the Superior Court that an appeal from the foreign judgment is pending or shall be taken or that a stay of execution has been granted, the Superior Court shall stay enforcement of the foreign judgment until:

"(1) The appeal is concluded;

"(2) The time for appeal expires; or

"(3) The stay of execution expires or is vacated.

"(b) If the judgment debtor shows the Superior Court any ground upon which enforcement of a judgment of the Superior Court would be stayed, the Superior Court shall stay enforcement of the foreign judgment for an appropriate period upon requiring the same security for satisfaction of a judgment that is required in the District.

"Sec. 15-355. Fees.

New Section
15-355

"Any person filing a foreign judgment shall pay to the Clerk the fee established by the Superior Court. Fees for docketing, transcription, or other enforcement proceedings shall be as provided for judgments of the Superior Court.

"Sec. 15-356. Optional procedure.

New Section
15-356

"The right of a judgment creditor to bring an action to enforce a judgment in lieu of proceeding under this subchapter remains unimpaired.

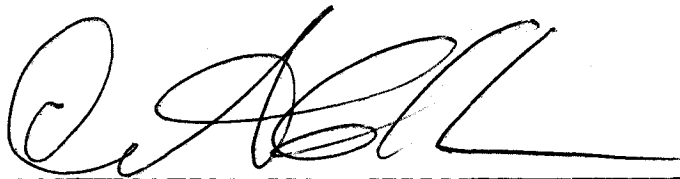
"Sec. 15-357. Uniformity of interpretation.

New Section
15-357

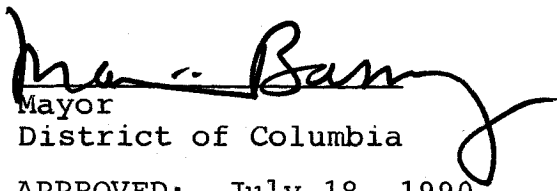
"This subchapter shall be interpreted and construed to effectuate its general purpose to make uniform the law of jurisdictions that enact it.

Sec. 3. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 18, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-56

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-26-90

VOICE VOTE: Approved

Recorded vote on request

Absent: Wilson

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Rosemary Galt
 Secretary to the Council

7-13-90
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 7-10-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Rosemary Galt
 Secretary to the Council

7-13-90
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date