**§8804. Standards for recognition of foreign-country judgment**

**1. Recognition if applicable.**  Except as otherwise provided in subsections 2 and 3, a court of this State shall recognize a foreign-country judgment to which this Act applies.

[PL 2021, c. 689, §2 (NEW).]

**2. Not recognized.**  A court of this State may not recognize a foreign-country judgment if:

A. The judgment was rendered under a judicial system that does not provide impartial tribunals or procedures compatible with the requirements of due process of law; [PL 2021, c. 689, §2 (NEW).]

B. The foreign court did not have personal jurisdiction over the defendant; or [PL 2021, c. 689, §2 (NEW).]

C. The foreign court did not have jurisdiction over the subject matter. [PL 2021, c. 689, §2 (NEW).]

[PL 2021, c. 689, §2 (NEW).]

**3. Discretion to not recognize.**  A court of this State need not recognize a foreign-country judgment if:

A. The defendant in the proceeding in the foreign court did not receive notice of the proceeding in sufficient time to enable the defendant to defend; [PL 2021, c. 689, §2 (NEW).]

B. The judgment was obtained by fraud that deprived the losing party of an adequate opportunity to present its case; [PL 2021, c. 689, §2 (NEW).]

C. The judgment or the cause of action or claim for relief on which the judgment is based is repugnant to the public policy of this State or the United States; [PL 2021, c. 689, §2 (NEW).]

D. The judgment conflicts with another final and conclusive judgment; [PL 2021, c. 689, §2 (NEW).]

E. The proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be determined otherwise than by proceedings in that foreign court; [PL 2021, c. 689, §2 (NEW).]

F. In the case of jurisdiction based only on personal service, the foreign court was a seriously inconvenient forum for the trial of the action; [PL 2021, c. 689, §2 (NEW).]

G. The judgment was rendered in circumstances that raise substantial doubt about the integrity of the rendering court with respect to the judgment; or [PL 2021, c. 689, §2 (NEW).]

H. The specific proceeding in the foreign court leading to the judgment was not compatible with the requirements of due process of law. [PL 2021, c. 689, §2 (NEW).]

[PL 2021, c. 689, §2 (NEW).]

**4. Establish nonrecognition grounds.**  A party resisting recognition of a foreign-country judgment has the burden of establishing that a ground for nonrecognition stated in subsection 2 or 3 exists.

[PL 2021, c. 689, §2 (NEW).]

SECTION HISTORY

PL 2021, c. 689, §2 (NEW).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025
. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.