

§8904. Registration of Canadian judgment

1. Registration in office of the court clerk. A person seeking recognition of a Canadian judgment described in section 8903 to enforce the judgment may register the judgment in the office of the clerk of a court in which an action for recognition of the judgment could be filed under section 8806. [PL 2021, c. 689, §3 (NEW).]

2. Execution and contents of registration. A registration under subsection 1 must be executed by the person registering the judgment or the person's attorney and include:

A. A copy of the Canadian judgment authenticated as an accurate copy by the court that entered the judgment; [PL 2021, c. 689, §3 (NEW).]

B. The name and address of the person registering the judgment; [PL 2021, c. 689, §3 (NEW).]

C. If the person registering the judgment is not the person in whose favor the judgment was rendered, a statement describing the interest the person registering the judgment has in the judgment that entitles the person to seek its recognition and enforcement; [PL 2021, c. 689, §3 (NEW).]

D. The name and last-known address of the person against whom the judgment is being registered; [PL 2021, c. 689, §3 (NEW).]

E. If the judgment is of the type described in section 8903, subsection 2 or 3, a description of the part of the judgment being registered; [PL 2021, c. 689, §3 (NEW).]

F. The amount of the judgment or part of the judgment being registered, identifying:

(1) The amount of interest accrued as of the date of registration on the judgment or part of the judgment being registered, the rate of interest, the part of the judgment to which interest applies and the date when interest began to accrue;

(2) Costs and expenses included in the judgment or part of the judgment being registered, other than an amount awarded for attorney's fees; and

(3) The amount of an award of attorney's fees included in the judgment or part of the judgment being registered; [PL 2021, c. 689, §3 (NEW).]

G. The amount, as of the date of registration, of post-judgment costs, expenses and attorney's fees claimed by the person registering the judgment or part of the judgment; [PL 2021, c. 689, §3 (NEW).]

H. The amount of the judgment or part of the judgment being registered that has been satisfied as of the date of registration; [PL 2021, c. 689, §3 (NEW).]

I. A statement that:

(1) The judgment is final, conclusive and enforceable under the law of the Canadian jurisdiction in which it was rendered;

(2) The judgment or part of the judgment being registered is within the scope of this Act; and

(3) If a part of the judgment is being registered, the amounts stated in the registration under paragraphs F, G and H relate to the part; [PL 2021, c. 689, §3 (NEW).]

J. If the judgment is not in English, a court-prepared copy of the judgment in the appropriate language or, if such a copy is not available, a certified translation of the judgment into English; and [PL 2021, c. 689, §3 (NEW).]

K. The fee to register a judgment under this Act as set by court rule or order. [PL 2021, c. 689, §3 (NEW).]

[PL 2021, c. 689, §3 (NEW).]

3. Registration on docket. On receipt of a registration that includes the documents, information and registration fee required by subsection 2, the clerk shall accept the registration for filing, assign a docket number and enter the Canadian judgment in the court file.

[PL 2021, c. 689, §3 (NEW).]

SECTION HISTORY

PL 2021, c. 689, §3 (NEW).

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