

Title 2A.  
Chapter 49A. (New  
Title) Foreign  
Money Claims and  
Judgments.  
§§1-9  
C.2A:49A-16 to  
2A:49A-24

P.L. 1997, CHAPTER 96, *approved May 8, 1997*  
Assembly, No. 2221 (*First Reprint*)

1 AN ACT concerning foreign <sup>1</sup>country<sup>1</sup> money-judgments and  
2 supplementing Title 2A of the New Jersey Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. This act shall be known and may be cited as the "<sup>1</sup>**[Uniform]**<sup>1</sup>  
8 Foreign <sup>1</sup>Country<sup>1</sup> Money-Judgments Recognition Act."

9

10 2. As used in this act:

11 "Foreign state" means any governmental unit other than the United  
12 States, or any state, district, commonwealth, territory or insular  
13 possession thereof <sup>1</sup>[, or the Panama Canal Zone, the Trust Territory  
14 of the Pacific Islands, or the Ryukyu Islands]<sup>1</sup>;

15 "Foreign <sup>1</sup>country<sup>1</sup> money-judgment" means any judgment of a  
16 foreign state granting or denying recovery of a sum of money, other  
17 than a judgment for taxes, a fine or other penalty, or a judgment for  
18 support in matrimonial or family matters.

19

20 3. This act applies to any foreign <sup>1</sup>country<sup>1</sup> money-judgment that  
21 is final and conclusive and enforceable where rendered even though an  
22 appeal from it is pending or it is subject to appeal.

23

24 4. Except as provided in section 5 of this act, a foreign <sup>1</sup>country<sup>1</sup>  
25 money-judgment meeting the requirements of section 3 of this act is  
26 conclusive between the parties to the extent that it grants or denies  
27 recovery of a sum of money. The foreign <sup>1</sup>country<sup>1</sup> money-judgment  
28 is enforceable in the same manner as the judgment of a sister state  
29 which is entitled to full faith and credit.

30

31 5. a. A foreign <sup>1</sup>country<sup>1</sup> money-judgment is not conclusive if:

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Assembly AJU committee amendments adopted November 7, 1996.

1 (1) the <sup>1</sup> [judgement] judgment<sup>1</sup> was rendered under a system  
2 which does not provide impartial tribunals or procedures compatible  
3 with the requirements of due process of law;

4 (2) the foreign <sup>1</sup>country<sup>1</sup> court did not have personal jurisdiction  
5 over the <sup>1</sup>[defendant] judgment debtor<sup>1</sup>; or

6 (3) the foreign <sup>1</sup>country<sup>1</sup> court did not have jurisdiction over the  
7 subject matter.

8 b. A foreign <sup>1</sup>country<sup>1</sup> money-judgment need not be recognized if:

9 (1) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> in the proceedings in the  
10 foreign <sup>1</sup>country<sup>1</sup> court did not receive notice of the proceedings in  
11 sufficient time to enable <sup>1</sup>[him]the judgment debtor<sup>1</sup> to defend;

12 (2) the judgment was obtained by fraud;

13 (3) the cause of action on which the <sup>1</sup>foreign<sup>1</sup> judgment is based is  
14 <sup>1</sup>[repugnant] contrary<sup>1</sup> to the public policy of this State;

15 (4) the judgment conflicts with <sup>1</sup>[another] a prior<sup>1</sup> final and  
16 conclusive judgment;

17 (5) the <sup>1</sup>[proceeding] proceedings<sup>1</sup> in the foreign <sup>1</sup>country<sup>1</sup> court  
18 <sup>1</sup>[was] were<sup>1</sup> contrary to an agreement between the parties under  
19 which the dispute in question was to be settled, other than by  
20 proceedings in that court; or

21 (6) in the case of jurisdiction based only on personal service, the  
22 foreign <sup>1</sup>country<sup>1</sup> court was a seriously inconvenient forum for the trial  
23 of the action.

24

25 6. a. The foreign <sup>1</sup>country<sup>1</sup> money-judgment shall not be refused  
26 recognition for lack of personal jurisdiction if:

27 (1) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> was served personally in the  
28 foreign state;

29 (2) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> voluntarily appeared in the  
30 proceedings, other than for the purpose of protecting property seized  
31 or threatened with seizure in the proceedings or of contesting the  
32 jurisdiction of the court over <sup>1</sup>[him]the judgment debtor<sup>1</sup>;

33 (3) <sup>1</sup>[prior to the commencement of the proceedings, the  
34 defendant] the judgment debtor prior to the commencement of the  
35 proceedings<sup>1</sup> had agreed <sup>1</sup>expressly in writing<sup>1</sup> to submit to the  
36 jurisdiction of the foreign <sup>1</sup>country<sup>1</sup> court with respect to the subject  
37 matter involved;

38 (4) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> was domiciled in the foreign  
39 state when the proceedings were instituted, or being a body corporate,  
40 had its principal place of business <sup>1</sup>[, was incorporated, ]<sup>1</sup> or had  
41 otherwise acquired corporate status<sup>1</sup>[,]<sup>1</sup> in the foreign state;

42 (5) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> had a business office in the  
43 foreign state and the proceedings in the foreign <sup>1</sup>country<sup>1</sup> court  
44 involved a cause of action arising out of business done by the  
45 <sup>1</sup>[defendant] judgment debtor<sup>1</sup> through that office in the foreign state;

46 or

1 (6) the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> operated a motor vehicle or  
2 airplane in the foreign state and the proceedings involved a cause of  
3 action arising out of that operation.

4 b. The courts of this State may recognize other bases of <sup>1</sup>personal<sup>1</sup>  
5 jurisdiction.

6  
7 7. If the <sup>1</sup>[defendant] judgment debtor satisfies the court [ <sup>1</sup>  
8 either]<sup>1</sup> that an appeal <sup>1</sup>from the foreign country money- judgment<sup>1</sup>  
9 is pending or that <sup>1</sup>[he] the judgment debtor<sup>1</sup> is entitled and intends  
10 to appeal from the foreign <sup>1</sup>country<sup>1</sup> money-judgment, <sup>1</sup>or that a stay  
11 of execution has been granted.<sup>1</sup> the court may stay the proceedings  
12 until the appeal has been determined or until the expiration of a period  
13 of time sufficient to enable the <sup>1</sup>[defendant] judgment debtor<sup>1</sup> to  
14 prosecute the appeal.

15  
16 8. This act does not prevent the recognition of a foreign <sup>1</sup>country<sup>1</sup>  
17 money-judgment in situations not covered by this act.

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19 9. This act shall be so construed as to effectuate its general  
20 purpose to make uniform the law of those states which enact it.

21  
22 10. This act shall take effect immediately.

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26  
27 Enacts the "Foreign Country Money-Judgments Recognition Act."