

Policy to Recognize Foreign Judgments

Purpose:

To establish a framework for recognizing foreign judgments in alignment with the 1962 Uniform Foreign Money Judgments Recognition Act and the 2005 Uniform Foreign-Country Money Judgments Recognition Act, ensuring finality of judgment, reciprocity of recognition, and grounds for non-recognition.

Policy:

1. Recognition of Foreign Judgments:

- **Finality Requirement:** Only final and conclusive judgments from foreign courts will be recognized. A judgment is considered final if it is no longer subject to appeal in the foreign jurisdiction.
- **Reciprocity:** Foreign judgments will be recognized if the foreign country or foreign jurisdiction grants reciprocal recognition to judgments from our jurisdiction.

2. Grounds for Non-Recognition:

- **Lack of Due Process:** A foreign judgment will not be recognized if the foreign court did not provide due process, including adequate notice and a fair opportunity to be heard.
- **Jurisdictional Issues:** Judgments will not be recognized if the foreign court lacked jurisdiction over the subject matter or the parties involved.
- **Fraud:** Judgments obtained through fraud will not be recognized.
- **Public Policy:** Judgments that are contrary to the public policy of our jurisdiction will not be recognized.
- **Inconsistent Judgments:** If the foreign judgment conflicts with another final and conclusive judgment, it will not be recognized.

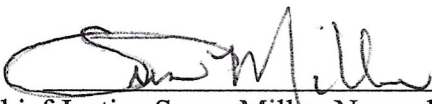
3. Procedure for Recognition:


- **Application for Recognition:** Parties seeking recognition of a foreign judgment must file an application with the appropriate court, providing certified copies of the judgment and any necessary documentation.
- **Review and Decision:** The court will review the application and determine whether the foreign judgment meets the criteria for recognition. If recognized, the judgment will be enforceable as if it were a judgment of our jurisdiction.

These policies aim to ensure fairness, impartiality, and adherence to due process in jury selection and the recognition of foreign judgments.

Approved 11/14/2024


District 3 Judge Stephen Lutrell


Chief Justice Susan Miller, Nacogdoches Co.


Chief Justice Jodi Mueller, Robertson Co.