

## **Massachusetts adopts its version of the Uniform Enforcement of Foreign Judgments Act.**

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The Massachusetts legislature has recently passed G.L.c.218, section 4A as the Massachusetts Uniform Enforcement of Foreign Judgments Act. The enactment of this Act provides for a more simple process for domestication of a non-Massachusetts judgment. Before adopting this Act a new lawsuit had to be filed based on the unsatisfied non-Massachusetts judgment. Now a non-Massachusetts judgment creditor can register an unsatisfied judgment entered in another state. This is significant as it modernizes its law of judgment recognition. The enforcement of an out of state judgment will now be available for out of state judgments as are available to Massachusetts' judgments.

The following is a brief overview of the process:

- (a) A copy of any foreign judgment, as long as it is certified (to provide authentication), may be filed in the office of the clerk in a district court where the judgment debtor resides or has a usual place of business, at the time of filing.
- (b) At the time of filing of the foreign judgment, the judgment creditor or his legal counsel are required to file an affidavit with the district court clerk's office setting forth the name and last known address of the judgment debtor and judgment creditor.
- (c) Upon the filing of the foreign judgment and the affidavit, the clerk shall mail notice of the foreign judgment to the judgment debtor at the address provided by the judgment creditor. The clerk shall note the docket of the mailing. If the judgment creditor mails notices of the filing of the foreign judgment to the judgment debtor and files proof of mailing with the clerk, the clerk will not mail its' notice.
- (d) If the foreign judgment creditor seeks to have his out of state judgment converted into a Massachusetts judgment then the foreign judgment creditor must wait 30 days, after the foreign judgment is filed, before an execution shall issue. Once the Massachusetts execution issues, the creditor can then seek to enforce the collection of the money damages.
- (e) The fee for filing a foreign judgment is the same cost of filing a district court complaint which is \$195.00.