

Memorandum 2015-17

**Recognition of Tribal and Foreign Court Money Judgments
(Discussion of Issues)**

In 2014, the Legislature enacted Senate Bill 406 (Evans).¹ Among other things, the bill assigns the Commission² a new study:

SECTION 1. The California Law Revision Commission shall, within existing resources, conduct a study of the standards for recognition of a tribal court or a foreign court judgment, under the Tribal Court Civil Money Judgment Act (Title 11.5 (commencing with Section 1730) of Part 3 of the Code of Civil Procedure) and the Uniform Foreign-Country Money Judgments Recognition Act (Chapter 2 (commencing with Section 1713) of Title 11 of Part 3 of the Code of Civil Procedure). On or before January 1, 2017, the California Law Revision Commission shall report its findings, along with any recommendations for improvement of those standards, to the Legislature and the Governor.

At its October 2014 meeting, the Commission discussed Memorandum 2014-47, introducing this new study. Given that some time has passed since that original memorandum, this memorandum starts with a brief discussion of the relevant statutory provisions governing the recognition of foreign judgments in California.

In the earlier memorandum, the staff indicated its intention to proceed with the study by first taking “a broad look at the general legal principles that govern recognition of foreign judgments.”³ In accordance with that objective, this memorandum provides a summary of the common law principles governing the recognition of foreign judgments.

1. 2014 Cal. Stat. ch. 243.

2. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

3. Memorandum 2014-47, p. 8.

STATUTORY LAW ON FOREIGN JUDGMENT RECOGNITION IN CALIFORNIA

The prior memorandum discusses this issue in more detail,⁴ but a brief summary is provided here for ease of reference.

In 1962, the National Conference of Commissioners on Uniform State Laws (Uniform Law Commission) finalized the Uniform Foreign Money Judgments Recognition Act (1962 Uniform Act).⁵ This legislation was enacted in California.⁶ In 2005, the Uniform Law Commission updated the Act and renamed it the Uniform Foreign-Country Money Judgments Recognition Act (2005 Uniform Act).⁷ Again, this legislation was enacted in California.⁸

Prior to Senate Bill 406, California's enactment of the 2005 Uniform Act (California's Uniform Act) governed the recognition of both foreign and tribal court money judgments.⁹ Substantively, California's Uniform Act requires recognition of judgments that fall within the scope of the act subject only to specified mandatory and discretionary exceptions to recognition.¹⁰

Senate Bill 406 enacted the Tribal Court Civil Money Judgment Act (Tribal Act). The Tribal Act primarily changed the *procedures* for recognizing tribal court money judgments.¹¹ Although the legislation restated the substantive standards for judgment recognition, that restatement was intended to be nonsubstantive.¹²

Since the substantive standards for recognition were intended to be unchanged, much of the analysis in this study will focus on the relevant provisions of California's Uniform Act, since those have been interpreted in court decisions in California. In addition, the case law of other states that have enacted either the 1962 or 2005 Uniform Act may also be helpful in interpreting provisions in situations when there is no California case law on point.

4. Memorandum 2014-47, pp. 3-8.

5. See <http://uniformlaws.org/Act.aspx?title=Foreign%20Money%20Judgments%20Recognition%20Act>.

6. *Id.*, 1967 Cal. Stat. ch 503, § 1.

7. <http://uniformlaws.org/Act.aspx?title=Foreign-Country%20Money%20Judgments%20Recognition%20Act>.

8. 2007 Cal. Stat. ch. 212, § 2.

9. Compare Code Civ. Proc. § 1714 with former Code Civ. Proc. § 1714 (as enacted by 2007 Cal. Stat. ch. 212, § 2).

10. See Code Civ. Proc. § 1716.

11. Assembly Committee on Judiciary Analysis of SB 406 (June 13, 2014), pp. 4-5.

12. *Id.* at 5 (According to the author's statement, "[t]he framework [established by the Tribal Act] would not alter the legal standards that state courts apply in recognizing and enforcing tribal court money judgments, but merely clarify and consolidate the procedures for doing so into a uniform and streamlined statutory scheme."); see also Code Civ. Proc. §§ 1716 (Uniform Act), 1737 (Tribal Act).

COMMON LAW ON FOREIGN JUDGMENTS

The 2005 Uniform Act and its predecessor, the 1962 Uniform Act, (collectively, Uniform Foreign Acts) were crafted to codify the “most prevalent common law rules with regard to the recognition of money judgments rendered in other countries.”¹³ Thus, in order to fully understand the standards for recognition in the Uniform Foreign Acts, which the Commission has been tasked with analyzing, it may be instructive to review the common law on which the Acts are based.

Comity¹⁴ is the underlying common law principle governing the recognition of foreign judgments.¹⁵ The Uniform Foreign Acts only supplant comity with respect to the judgments falling within the scope of those Acts; in fact, the 2005 Uniform Act expressly recognizes comity as a ground for recognition of judgments that fall outside the scope of the Act.¹⁶

Comity Generally

Comity is a long-standing, international law concept.¹⁷ The concept of comity predates the United States’ sovereign existence.¹⁸ Understanding comity’s role in

13. See Uniform Foreign-Country Money Judgments Recognition Act, Prefatory Note, available at http://www.uniformlaws.org/shared/docs/foreign%20country%20money%20judgments%20recognition/ufcmjra_final_05.pdf (Note – the quoted language describes the 1962 Act, but the Prefatory Note also indicates that the 2005 Act “continues the basic policies and approach of the 1962 Act.”).

14. Under the U.S. Constitution, judgments from sister states are subject to full faith and credit. U.S. Const. art. IV, § 1. By statute, Congress has extended full faith and credit to the judicial proceedings of U.S. territories and possessions. See 28 U.S.C. § 1738. The overarching distinction between the full faith and credit and comity standards is that “the comity doctrine leaves the enforcing court far greater discretion than the full faith and credit model.” Robert N. Clinton, *Comity & Colonialism: The Federal Courts’ Frustration of Tribal <--> Federal Cooperation*, 36 Ariz. St. L.J. 1, 19 (2004).

15. See George Rutherglen & James Y. Stern, *Sovereignty, Territoriality, & Enforcement of Foreign Judgments*, in *Foreign Court Judgments and the United States Legal System* 13, 20 (Paul B. Stephan, ed., 2014); see also *id.* at Introduction, pp. 3-4; Robert E. Lutz, *A Lawyer’s Handbook for Enforcing Foreign Judgments in the United States and Abroad* 28 (2007).

16. See 2005 Uniform Act § 11; see also 1962 Uniform Act § 7.

17. Brian Pearce, *NOTE: The Comity Doctrine as a Barrier to Judicial Jurisdiction: A U.S.-E.U. Comparison*, 30 Stan. J. Int’l L. 525, 526 (1994) (“Comity traces its origins to the efforts of seventeenth-century legal theorists to reconcile emerging notions of absolute sovereignty within national boundaries with the ongoing practice, born of expedience, formal rules, or fairness, of applying foreign law in certain domestic cases. To solve this riddle in the conflict of laws, Ulrich Huber and his Dutch contemporaries three centuries ago introduced ‘comity’ as a principle of modest mutual accommodation by which nations would ‘recognize rights acquired under the laws of another state ... “so far as they do not cause prejudice to the power or rights of such government or of their subjects.”’”).

18. See *id.*

the international legal system may help shed some light on the contours of the doctrine.

It is worth noting that comity is not limited to the recognition of foreign judgments. The concept also applies to legislative and executive issues.¹⁹ However, the analysis in this memorandum will generally focus on comity's role in the recognition of foreign court judgments, consistent with scope of this study.

Defining Comity

Comity, as a number of commentators have suggested, is a somewhat nebulous concept.²⁰ Comity is perhaps most aptly described as a sovereign's decision to acknowledge the sovereignty of another sovereign, by recognizing and giving effect to the decisions and acts of the other sovereign.

Generally, the doctrine of comity weighs in favor of recognition and counsels judiciousness when declining to recognize the decisions or acts of another sovereign.²¹ Comity suggests that a sovereign when faced with the decision of whether to recognize the decision of a foreign court should extend the courtesy of recognition, except when there is a good reason not to. Functionally, comity acts as a presumption in favor of recognition (this comports with the design of the Uniform Act, which also contains a presumption in favor of recognition).

Limitations

Comity, however, has its limitations.

19. See Donald Earl Childress III, *Comity as Conflict: Resituating International Comity as Conflict of Laws*, 44 U.C. Davis L. Rev. 11, 60-61 (2010).

20. Joel R. Paul, *Comity in International Law*, 32 Harv. Int'l L.J. 1, 3-4 (1991) ("Comity has been defined variously as the basis of international law, a rule of international law, a synonym for private international law, a rule of choice of law, courtesy, politeness, convenience or goodwill between sovereigns, a moral necessity, expediency, reciprocity or 'considerations of high international politics concerned with maintaining amicable and workable relationships between nations.'") (citations omitted); Robert C. Casad, *Civil Judgment Recognition and the Integration of Multiple-State Associations: Central America, the United States of America, and the European Economic Community* 16 (1981) ("The comity concept is simply too vague to serve a prescriptive function. It is more a conclusion than a premise."); Childress, *supra* note 19, at 13 ("The doctrine of international comity is one of the most important, and yet least understood, international law canons employed by U.S. courts in transnational cases.") (citations omitted); Gil Seinfeld, *Reflections on Comity in the Law of American Federalism*, 90 Notre Dame L. Rev. 1309, 1312 (2015) ("The term 'comity,' as noted already, describes a nebulous set of norms familiar from the law of international relations.") (citations omitted); Pearce, *supra* note 17, at 527 ("[C]omity has inspired a host of definitions and a wealth of academic and judicial indignation over courts' continued use of so nebulous and multifarious a term. Intolerant of comity's indeterminacy, exasperated critics continue to echo Schaffner's lament, 'How could any reasonable results be attained with an idea so infinitely vague and illegal?'" (citations omitted).

21. See generally *Hilton v. Guyot*, 159 U.S. 113, 218 (1895); see also Restatement (Third) of Foreign Relations Law of the U.S. §§ 481, 482 (1987).

Generally, in the recognition of foreign judgments, comity appears to be geared more towards resolving disputes between private parties, as opposed to disputes between a private entity and the government.²² For example, U.S. courts “will not enforce the penal and revenue laws of foreign nations, nor the judgments of foreign courts based upon such laws.”²³ However, several commentators have questioned the ongoing utility of this distinction.²⁴

Also, under comity, generally only final and enforceable judgments are eligible for recognition.²⁵

A court deciding whether to recognize a foreign judgment is not simply required to accept the judgment without question. A court has the authority to ensure that the foreign judgment meets certain standards.²⁶ For instance, “[o]ne condition that is regarded as essential in all systems of judgment recognition is jurisdiction. The rendering court must have had jurisdiction to adjudicate the case.”²⁷ Generally, this jurisdictional analysis has two components. First, the rendering court must have had jurisdiction under its own standards. Second, those jurisdictional standards must be sufficiently fair to preclude, for instance, the recognition of a judgment in which “the defending party lacked significant connections to the rendering state.”²⁸

Beyond jurisdiction, other common grounds for nonrecognition include public policy concerns, lack of notice to the defendant, inconsistent judgments, lack of reciprocity for judgment recognition, and fraud.²⁹

22. See generally William S. Dodge, *Breaking the Public Law Taboo*, 43 Harv. Int’l L.J. 161 (2002); see also William S. Dodge, *The Penal and Revenue Rules, State Law, and Federal Preemption in Foreign Court Judgments*, *supra* note 15, at 54-83.

23. William S. Dodge, *The Penal and Revenue Rules, State Law, and Federal Preemption in Foreign Court Judgments*, *supra* note 15, at 54.

24. See generally, e.g., Dodge, *Breaking the Public Law Taboo*, *supra* note 22.

25. See, e.g., *Hilton*, 159 U.S. at 166, 202-203. The precise criteria for finality differs in different nations. See, e.g., Dennis Campbell, ed., *Enforcement of Foreign Judgments* 6, 39, 73, 112, 145, 196, 222-223, 241, 246-247, 273, 353-355, 368, 384, 417 (1997).

26. See, e.g., *Hilton*, 159 U.S. at 202-203.

27. *Casad*, *supra* note 20, at 18. “‘Jurisdiction,’ as used in the Anglo-American world, also includes such matters as the form, content, and timing of the notice that is given to the defendant.” *Id.* at 19; see also *Hilton*, 159 U.S. at 166-167 (“Every foreign judgment, of whatever nature, in order to be entitled to any effect, must have been rendered by a court having jurisdiction of the cause, and upon regular proceedings and due notice.”).

28. *Casad*, *supra* note 20, at 19; see generally *id.* at 18-20.

29. See *id.* at 30-32, 39-42; Campbell, *supra* note 25, at 72, 173, 223, 249, 351-352, 442-449; see generally *Hilton*, 159 U.S. at 113-235.

Policy Justifications for Comity

Perhaps a more important question is why a court would want to recognize the judgments of a foreign court. More broadly, what are the benefits that comity provides that justify a sovereign offering its justice system to enforce foreign judgments?

The justifications cited for comity are myriad. Comity has been recognized by courts and commentators as respecting state sovereignty, promoting international relations (between sovereigns), avoiding international conflicts, facilitating the transnational operations of businesses and individuals, promoting judicial efficiency, providing predictability, and providing finality.³⁰ Comity serves to avoid the intra-jurisdictional conflicts and inconsistencies that would invariably crop up in the absence of such a doctrine.³¹

Many of these policy justifications would be undermined in the absence of the limitations on judgment recognition discussed above. Simply put, recognition of a foreign judgment that is invalid, manifestly unfair, or counter to public policy would undermine the sovereignty of the recognizing jurisdiction in a manner that offsets the benefits of recognition generally.

Of course, many of the benefits offered by comity will only be fully realized if *all* nations extend comity to one another. For this reason, historically, the courts of many nations, including the U.S. Supreme Court, required reciprocity as a condition of extending comity to recognize the judgment of a foreign court.³² The status of reciprocity in the American common law will be discussed later in this memorandum.

American Case Law on Comity

The case law provides a more thorough explanation of the limits of comity (i.e., situations in which it would be appropriate for a sovereign to deny recognition of a foreign judgment).

30. See, e.g., Childress, *supra* note 19, at 14; Alan Reed, *A New Model of Jurisdictional Propriety for Anglo-American Foreign Judgment Recognition and Enforcement: Something Old, Something Borrowed, Something New?*, 25 Loy. L.A. Int'l & Comp. L. Rev. 243, 274-275 (2003); Kevin J. Christensen, *Of Comity: Aerospatiale as Lex Maritima*, 2 Loy. Mar. L.J. 1, 2-3, 23 (2003).

31. See, e.g., Paul, *supra* note 20, at 54-56.

32. See Hilton, 159 U.S. at 210-229.

Hilton v. Guyot

The U.S. Supreme Court decision in *Hilton v. Guyot* (1895)³³ is still almost universally cited as articulating the common law rule of comity for recognition of foreign money judgments.³⁴ In particular, the following two passages from the *Hilton* opinion are often recited in judicial opinions and scholarly writings that describe the doctrine of comity.

“Comity,” in the legal sense, is neither a matter of absolute obligation, on the one hand, nor of mere courtesy and good will, upon the other. But it is the recognition which one nation allows within its territory to the legislative, executive or judicial acts of another nation, having due regard both to international duty and convenience, and to the rights of its own citizens or of other persons who are under the protection of its laws.

...

In view of all the authorities upon the subject, and of the trend of judicial opinion in this country and in England, following the lead of Kent and Story, we are satisfied that, where there has been opportunity for a full and fair trial abroad before a court of competent jurisdiction, conducting the trial upon regular proceedings, after due citation or voluntary appearance of the defendant, and under a system of jurisprudence likely to secure an impartial administration of justice between the citizens of its own country and those of other countries, and there is nothing to show either prejudice in the court, or in the system of laws under which it was sitting, or fraud in procuring the judgment, or any other special reason why the comity of this nation should not allow it full effect, the merits of the case should not, in an action brought in this country upon the judgment, be tried afresh, as on a new trial or an appeal, upon the mere assertion of the party that the judgment was erroneous in law or in fact. The defendants, therefore, cannot be permitted, upon that general ground, to contest the validity or the effect of the judgment sued on.³⁵

Although the Court split 5-4 on the decision, the passages above describing comity were uncontroverted by the dissenting justices.

In *Hilton*, the majority declined to recognize a French judgment, concluding that “there is a distinct and independent ground upon which we are satisfied that the comity of our nation does not require us to give conclusive effect to the

33. 159 U.S. 113.

34. See, e.g., *Ohno v. Yasuma*, 723 F.3d 984, 1002, 1003, 1013 (9th Cir. 2013); *Wilson v. Marchington*, 127 F.3d 805, 809-810 (9th Cir. 1997); *In re Stephanie M.*, 7 Cal. 4th 295, 314 (1994); see also *Lutz*, *supra* note 15, at 28.

35. 159 U.S. at 163-164, 205-206.

judgments of the courts of France; and that ground is, the want of reciprocity, on the part of France, as to the effect to be given to the judgments of this and other foreign countries.”³⁶ The dissent took issue with the requirement of reciprocity.³⁷

The precedential value of *Hilton* is limited. *Hilton* was decided before *Erie Railroad Co. v. Tompkins*,³⁸ in which the U.S. Supreme Court disavowed the notion of a general federal common law and instead held that a federal court, except in matters where federal law is controlling, must apply the substantive laws of the relevant state.³⁹

Hilton, however, remains persuasive authority for the general concept of comity articulated above. As perhaps suggested by the Court’s division on the issue of reciprocity, the issue of reciprocity is a controversial one.⁴⁰

California Common Law

Courts applying California law have cited *Hilton* as an authority on the concept of comity generally.⁴¹ California courts, however, have not embraced the reciprocity requirement established in the *Hilton* case.⁴² California is not alone in declining to require reciprocity as a condition for foreign judgment recognition; the majority of states have similarly declined to require reciprocity.⁴³

36. 159 U.S. at 210.

37. 159 U.S. at 229-235 (Fuller, J., dissenting).

38. 304 U.S. 64 (1938).

39. See also Dodge, *supra* note 23, at 62-63 (“In 1938 *Erie* famously declared: ‘There is no federal general common law.’ ... And, while the Supreme Court has never squarely addressed the question, lower courts and commentators have generally concluded that the recognition of foreign judgments is also governed by state law.”) (citations omitted); Lutz, *supra* note 15, at 9 (“Under the *Erie* doctrine, state common law or the [Uniform] Act as enacted by the state legislature applies in federal court actions for the enforcement of foreign country judgments.”) (citations omitted).

40. See generally Vishali Singal, *Note: Preserving Power Without Sacrificing Justice: Creating an Effective Reciprocity Regime for the Recognition and Enforcement of Foreign Judgments*, 59 Hastings L.J. 943 (2008).

41. See *supra* note 34; see also *Manco Contracting Co. v. Bezdikian*, 45 Cal. 4th 192, 198 (2008); *Bank Melli Iran v. Pahlavi*, 58 F.3d 1406, 1409, 1410 (9th Cir. 1995); *Renoir v. Redstar Corp.*, 123 Cal. App. 4th 1145, 1150 (2d Dist. 2004).

42. See *Bank of Montreal v. Kough*, 612 F.2d 467, 472 (9th Cir. 1980) (“The parties have not cited, and our research has not disclosed any California cases citing reciprocity as a criterion for the recognition of foreign judgments.”).

43. See American Law Institute, *Recognition and Enforcement of Foreign Judgments: Analysis and Proposed Federal Statute* 94 (2006) (“[M]ost (but not all) state courts (as well as federal courts exercising diversity jurisdiction) have declined to impose a reciprocity requirement as a condition to enforcement of foreign judgments otherwise entitled to recognition or enforcement.”); see also *id.* at 100-101.

Since 1967, California has been operating under a statutory regime for the recognition of foreign money judgments.⁴⁴ Thus, the recent foreign money judgment recognition cases have been decided on the basis of the statutory law as opposed to the common law.⁴⁵ Recognition of a foreign judgment not subject to California's Uniform Act is still decided on the basis of common law comity.⁴⁶

FEDERAL STATUTORY EXCEPTION TO COMITY

Federal law contains a provision that precludes the states from recognizing certain foreign libel judgments.⁴⁷ Commonly known as the 2010 SPEECH Act, this law limits the situations in which domestic courts may recognize a foreign libel judgment.

The SPEECH Act prohibits domestic courts from recognizing or enforcing foreign judgments for defamation in any one of three circumstances:

1. When the party opposing recognition or enforcement claims that the judgment is inconsistent with the First Amendment to the Constitution, until and unless the domestic court determines that the judgment is consistent with the First Amendment,
2. When the party opposing recognition or enforcement establishes that the exercise of personal jurisdiction by the foreign court failed to comport with the due process requirements imposed on domestic courts by the U.S. Constitution, or
3. When the foreign judgment is against the provider of an interactive computer service and the party opposing recognition or enforcement claims that the judgment is inconsistent with section 230 of the Communications Act of 1934 (47 U.S.C. § 230) regarding protection for private blocking and screening of offensive material, until and unless the domestic court determines that the judgment is consistent with those provisions.⁴⁸

44. See 1967 Cal. Stat. ch. 503, § 1.

45. See, e.g., *Manco Contracting*, 45 Cal. 4th at 198 ("California adopted the [1962 Uniform Act] in 1967. Before the Legislature codified the provisions of this uniform act, the recognition and enforcement of foreign money judgments proceeded as a matter of comity. Comity remains the basis for recognizing foreign judgments not covered by the act, such as domestic relations judgments.") (citations omitted).

46. *Id.*; see also *In re Stephanie M.*, 7 Cal. 4th at 313-314.

47. 28 U.S.C. §§ 4101-4105; see also generally Emily C. Barbour, Cong. Research Serv., *The SPEECH Act: The Federal Response to "Libel Tourism"* (Sept. 16, 2010), available at <https://www.fas.org/sgp/crs/misc/R41417.pdf>.

48. See Barbour, *supra* note 47, at 10-11.

California law must comport with the 2010 SPEECH Act regarding recognition of foreign defamation judgments. Prior to the enactment of the 2010 SPEECH Act, California had amended its enactment of the Uniform Act to include a non-uniform discretionary exception to recognition and special provisions regarding personal jurisdiction for foreign defamation decisions.⁴⁹ Thus, it may be that California's law does comport with the 2010 SPEECH Act, to some extent.

OTHER RESOURCES

In the course of the staff's research on the common law of judgment recognition, the staff found that there were several resources that offer a helpful distillation of the common law principles or provide helpful, concrete analysis on the law of judgment recognition. Those resources include:

- *Uniform Foreign Acts*: The Uniform Foreign Acts were themselves efforts to "codif[y] the most prevalent common law rules with regard to the recognition of money judgments rendered in other countries."⁵⁰
- *Restatements of the Law*: Restatements are prepared by the American Law Institute (ALI), a nonprofit organization of lawyers, judges, and law professors working to "clarify, modernize, and otherwise improve the law."⁵¹ The Restatements are efforts to describe and clarify the law.⁵² Two restatements describe the common law of foreign judgment recognition: the Restatement (Third) of Foreign Relations Law of the United States⁵³ and the Restatement (Second) of Conflict of Laws.⁵⁴
- *ALI Model Statute*: In 2006, the American Law Institute (ALI) released a proposed model federal statute to govern judgment recognition.⁵⁵ This model statute is not an effort to simply codify the common law, but rather a judgment recognition policy reform

49. 2009 Cal. Stat. ch. 579, §§ 1-2.

50. See Uniform Foreign-Country Money Judgments Recognition Act, Prefatory Note, *available at* http://www.uniformlaws.org/shared/docs/foreign%20country%20money%20judgments%20recognition/ufcmjra_final_05.pdf.

51. See <https://www.ali.org/index.cfm?fuseaction=about.overview>.

52. See <https://www.ali.org/index.cfm?fuseaction=about.institute.projects>.

53. Restatement (Third) of Foreign Relations Law of the United States, §§ 481, 482 (1987).

54. Section 98 (Recognition of Foreign Nation Judgments) simply provides that "[a] valid judgment rendered in a foreign nation after a fair trial in a contested proceeding will be recognized in the United States so far as the immediate parties and the underlying claim are concerned." Restatement (Second) of Conflict of Laws (1988 Revisions).

55. See American Law Institute, Recognition and Enforcement of Foreign Judgments: Analysis and Proposed Federal Statute (2006).

proposal. The statute has not been enacted into law, so, at this point, it simply represents scholars' considered thinking on the policies that should govern foreign judgment recognition.

These resources will be addressed in more detail, as appropriate, as the study proceeds.

NEXT STEPS

As indicated in Memorandum 2014-17, the staff proposes to next examine the enactments of the Uniform Foreign-Country Money Judgments Recognition Act and Uniform Foreign Money Judgments Recognition Act in other states. In this review, the staff will focus on identifying significant non-uniform provisions.

Respectfully submitted,

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