

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 15.**  
**JUDGMENTS AND EXECUTIONS; FEES AND**  
**COSTS.**

**CHAPTER 3.**  
**ENFORCEMENT OF JUDGMENTS AND DECREES.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 3. ENFORCEMENT OF JUDGMENTS AND DECREES.

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# **CHAPTER 3. ENFORCEMENT OF JUDGMENTS AND DECREES.**

## **SUBCHAPTER I. LOCAL JUDGMENTS AND DECREES.**

### **§ 15-301. DEFINITION AND APPLICABILITY.**

As used in sections 15-302, 15-303, 15-305 to 15-307, 15-309, 15-317, and 15-318, "judgment" includes an unconditional decree for the payment of money, and sections 15-302 to 15-318 are applicable to such a decree.

(Dec. 23, 1963, 77 Stat. 525, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(6)(B).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-301.

1973 Ed., § 15-301.

### **§ 15-302. PERIOD DURING WHICH WRIT OF EXECUTION MAY ISSUE; RETURNABLE PERIOD.**

(a) A writ of execution on a judgment in a civil action may be issued within three years after:

- (1) the expiration of any stay of execution agreed to by the parties; or
- (2) it first might have been issued under applicable provisions of law or rules of court.

(b) A writ of execution shall be returnable on or before the sixtieth day after its date.

(Dec. 23, 1963, 77 Stat. 525, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-302.

1973 Ed., § 15-302.

### **§ 15-303. ALIAS WRITS.**

If a writ of execution is issued and returned unsatisfied, in whole or in part, within the period of three years provided by section 15-302, an alias writ may be issued during the life of the judgment.

(Dec. 23, 1963, 77 Stat. 525, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-303.

1973 Ed., § 15-303.

#### **§ 15-304. RETURN OF WRIT.**

If the return of a writ of execution is not made on or before the return day expressed in the writ it may nevertheless be made afterwards as of that date.

(Dec. 23, 1963, 77 Stat. 525, Pub. L. 88-241, § 1.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 15-304.

1973 Ed., § 15-304.

#### **§ 15-305. ISSUANCE OF WRIT AFTER EXPIRATION OF PERIOD.**

A writ of execution not issued within the time allowed therefor, may not be issued until the judgment has been revived. The same rule applies to the order of revival in relation to the issuance of a writ of execution as to the original judgment.

(Dec. 23, 1963, 77 Stat. 525, Pub. L. 88-241, § 1.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 15-305.

1973 Ed., § 15-305.

#### **§ 15-306. ELECTION TO MOVE FOR NEW JUDGMENT IN LIEU OF EXECUTION.**

During the life of the original judgment the plaintiff, instead of issuing execution thereon within the time allowed therefor, may elect to obtain a new judgment by motion and hearing as provided by rules of court.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1.)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 15-306.

1973 Ed., § 15-306.

#### **§ 15-307. LIEN OF EXECUTION.**

A writ of fieri facias issued upon a judgment of the United States District Court for the District of Columbia or the Superior Court of the District of Columbia is a lien from the time of its delivery to the marshal upon all the goods and chattels of the judgment defendant, except those that are exempted from levy and sale by express provision of law, and is also a lien upon the equitable interest of the judgment defendant in goods and chattels in his possession.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(5).)

##### *HISTORICAL AND STATUTORY NOTES*

###### *Prior Codifications*

1981 Ed., § 15-307.

1973 Ed., § 15-307.

#### **§ 15-308. ENDORSEMENT, BY MARSHAL, OF DATE OF RECEIPT OF WRIT.**

Upon the receipt of any writ of fieri facias or other writ of execution, the marshal or his deputy shall, without fee, endorse upon the back of the writ the day of the month and year when he received it.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1.)

##### *HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-308.

1973 Ed., § 15-308.

**§ 15-309. DEATH OF JUDGMENT DEBTOR AFTER DELIVERY OF EXECUTION.**

The death of the judgment debtor after the execution issued on the judgment has been delivered to the marshal does not affect his authority to proceed against the property bound by it.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-309.

1973 Ed., § 15-309.

**§ 15-310. LIEN OF EXECUTION ON COURT OF GENERAL SESSIONS JUDGMENT; LEVY.[REPEALED]**

(July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(6)(A).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-310.

**§ 15-311. PROPERTY SUBJECT TO LEVY.**

The writ of fieri facias may be levied on all goods and chattels of the debtor not exempt from execution, and upon money, bills, checks, promissory notes, or bonds, or certificates of stock in corporations owned by the debtor, and upon his money in the hands of the marshal or his deputy or other officer or person charged with the execution of the writ. A writ of fieri facias issued from the United States District Court for the District of Columbia or the Superior Court of the District of Columbia upon a judgment entered in such court may be levied on all legal leasehold and freehold estates of the debtor in land, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1; July 5, 1966, 80 Stat. 264, Pub. L. 89-493, § 12; Nov. 2, 1966, 80 Stat. 1178, Pub. L. 89-745, § 5; Mar. 11, 1968, 82 Stat. 42, Pub. L. 90-263, § 3; July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(7).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-311.

1973 Ed., § 15-311.

**§ 15-312. LEVY ON MONEY AND EVIDENCES OF DEBT.**

When the fieri facias is levied on money belonging to the judgment debtor the marshal may not expose the money to sale, but shall account for it as money collected. Bills or other evidences of debt levied upon shall be sold as other personal property is sold, and the marshal may indorse them to pass title to the purchaser.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-312.

1973 Ed., § 15-312.

### **§ 15-313. LEVY ON EQUITABLE INTEREST IN CHATTELS PLEDGED.**

The interest of the debtor in personal chattels lawfully pledged for the payment of a debt or performance of a contract, or held by a trustee, and in which the debtor's interest is only equitable, may be levied upon in the hands of the pledgee or trustee without disturbing the possession of the latter, and the lien thus obtained may be enforced by civil action. In other cases of equitable interest of the judgment debtor in personal chattels execution may also be levied thereon and the lien thus obtained may be enforced by civil action.

(Dec. 23, 1963, 77 Stat. 526, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-313.

1973 Ed., § 15-313.

### **§ 15-314. APPRAISEMENT; NOTICE OF SALE.**

Where not herein otherwise provided, all property levied upon, except money, shall be appraised by two sworn appraisers and sold at public auction for cash.

Personal property may be sold after ten days' notice by advertisement, containing a description sufficiently definite to be embodied in a conveyance of title.

Leasehold and freehold estates in land may be sold after notice has been made in the manner provided by section 2002 of Title 28, United States Code.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-314.

1973 Ed., § 15-314.

### **§ 15-315. DEATH, REMOVAL, OR DISQUALIFICATION OF MARSHAL.**

When the marshal dies, or is removed from office, or becomes otherwise disqualified from executing a writ of execution received by him, the writ may be executed and returned by his deputy or successor in office.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-315.

1973 Ed., § 15-315.

### **§ 15-316. SUBROGATION OF PURCHASER AFTER DEFECTIVE SALE; NO REFUND.**

When, upon the sale of property under execution, the title of the purchaser is invalid by reason of a defect in the proceedings, the purchaser may be subrogated to the rights of the creditor against the debtor to the extent of the money paid by him and applied to the debtor's benefit, and to that extent has a lien on the property sold against all persons except bona fide purchasers without notice; but the creditor may not be required to refund the purchase money on account of the invalidity of the sale.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-316.

1973 Ed., § 15-316.

### **§ 15-317. REMEDY OF MARSHAL FOR ERRONEOUS SALE MADE IN GOOD FAITH.**

When the marshal or any other officer to whom execution has been delivered levies upon and sells in good faith property not subject thereto and applies the proceeds thereof toward the satisfaction of the judgment, and a recovery is had against him for its value, the officer, on payment of the value, may, on motion and due notice thereof to the defendant, have the satisfaction of the judgment vacated, and execution shall issue thereon for his use as if the levy and sale had not been made.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-317.

1973 Ed., § 15-317.

### **§ 15-318. REMEDIES OF PURCHASER UPON REFUSAL TO DELIVER POSSESSION.**

When real property is sold by virtue of an execution, and the judgment debtor or a person claiming under him since the rendition of the judgment is in actual possession of the property and refuses to deliver possession thereof to the purchaser upon demand made therefor, the court, on the application of the purchaser, may:

- (1) require the person so in possession to show cause why possession should not be delivered according to the demand; and
- (2) if good cause is not shown, issue a writ of habere facias possessionem, requiring the marshal to put the purchaser in possession.

If the party in possession alleges under oath a title derived from the judgment debtor prior to the judgment or a title superior to that of the defendant, the writ may not issue, but the purchaser may have his remedy by an action of ejectment or the summary remedy in the Superior Court of the District of Columbia provided for in sections 16-1501 to 16-1505.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(7).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-318.

1973 Ed., § 15-318.

### **§ 15-319. EXECUTION OF FINAL DECREE AFTER DEATH; OTHER APPROPRIATE PROCEEDINGS.**

When a party to an action dies after final decree, the court may order execution of the decree as if death had not occurred, or the court, after motion and hearing, may order the decree revived against the proper representatives of the deceased party, or make such other order or direct such other proceedings as seems best calculated to advance the purposes of justice. The heir or other proper representative may appear at any time before execution of the decree and be admitted as a party to the action, on such terms as the court prescribes, and such further proceeding may be had as may be appropriate to the merits of the cause.

(Dec. 23, 1963, 77 Stat. 527, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-319.

1973 Ed., § 15-319.

### **§ 15-320. ENFORCEMENT OF DECREES.**



(a) For the purpose of executing a decree, or compelling obedience to it, the United States District Court for the District of Columbia or the Superior Court of the District of Columbia, in addition to the other procedures provided for by this chapter and Chapter 5 of Title 16, may:

- (1) issue an attachment against the person of the defendant;
- (2) order an immediate sequestration of his real and personal estate, or such part thereof as may be necessary to satisfy the decree; or
- (3) by order and injunction, cause the possession of the estate and effects whereof the possession or a sale is decreed to be delivered to the complainant, or otherwise, according to the tenor and import of the decree and as the nature of the case requires.

In case of sequestration, the court may order payment and satisfaction to be made out of the estate and effects so sequestered, according to the true intent and meaning of the decree.

(b) When a defendant is arrested and brought into court upon any process of contempt issued to compel the performance of a decree, the court may, upon motion, order:

- (1) the defendant to stand committed; or
- (2) his estates and effects to be sequestered and payment made, as directed by subsection (a) of this section; or
- (3) possession of his estate and effects to be delivered by order and injunction, as directed by subsection (a) of this section --

until the decree or order is fully performed and executed, according to the tenor and true meaning thereof, and the contempt cleared.

(c) Where a decree only directs the payment of money, the defendant may not be imprisoned except in those cases especially provided for.

(Dec. 23, 1963, 77 Stat. 528, Pub. L. 88-241, § 1; July 29, 1970, 84 Stat. 553, Pub. L. 91-358, title I, § 144(7).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-320.

1973 Ed., § 15-320.

##### *Editor's Notes*

Because of the codification of §§ 15-351--15-357 as subchapter II of this chapter, and the designation of the preexisting text of Chapter 3 as subchapter I, "subchapter" should be substituted for "chapter" in the introductory language of (a).

### **§ 15-321. ENFORCEMENT OF INTERLOCUTORY DECREES.**

An interlocutory order may be enforced by such process as might be had upon a final judgment or decree to the like effect, and the payment of costs adjudged to a party may be enforced in like manner.

(Dec. 23, 1963, 77 Stat. 528, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-321.

1973 Ed., § 15-321.

### **§ 15-322. ENFORCEMENT OF DECREES FOR DELIVERY OF CHATTELS.**

In addition to the procedures for enforcement of judgments or decrees otherwise provided for, an order or decree for the delivery of chattels may be enforced by the same writs as are used in the action of replevin at common law.

(Dec. 23, 1963, 77 Stat. 528, Pub. L. 88-241, § 1.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 15-322.

**§ 15-323. LIMITATION ON SEIZURE OF REAL PROPERTY.**

Real property or rent shall not be seized for a debt, as long as the present goods and chattels of the debtor are sufficient to pay it, and the debtor himself is ready to satisfy the debt.

(Dec. 23, 1963, 77 Stat. 528, Pub. L. 88-241, § 1.)

*HISTORICAL AND STATUTORY NOTES**Prior Codifications*

1981 Ed., § 15-323.

1973 Ed., § 15-323.

**SUBCHAPTER II. FOREIGN JUDGMENTS.***Refs & Annos*

Jurisdiction	Laws	Effective Date	Statutory Citation
Alabama	1986, No. 86-713	10-2-1986	Code 1975, §§ 6-9-230 to 6-9-238.
Alaska	1972, c. 69	8-16-1972	AS 09.30.200 to 09.30.270.
Arizona	1971, c. 80	8-13-1971	A.R.S §§ 12-1701 to 12-1708.
Arkansas	1989, No. 501	3-13-1989	A.C.A. §§ 16-66-601 to 16-66-608.
Colorado	1969, c. 198	7-1-1969	West's C.R.S.A. §§ 13-53-101 to 13-53-108.
Connecticut	1973, No. 73-498	6-17-1973	C.G.S.A. §§ 52-604 to 52-609.
Delaware	65 Del.Laws c. 333	6-30-1986	10 Del.C. §§ 4781 to 4787.
District of Columbia	1990, D.C.Law 8-173	10-2-1990	D.C. Official Code, 2001 Ed. §§ 15-351 to 15-357.
Florida	1984, c. 84-5	10-1-1984	West's F.S.A. §§ 55.501 to 55.509.
Georgia	1986, Act No. 1326	7-1-1986	O.C.G.A. §§ 9-12-130 to 9-12-138.
Hawaii	1983, c. 31		HRS §§ 636C-1 to 636C-8.
Idaho	1974, c. 64	7-1-1974	I.C. §§ 10-1301 to 10-1308.
Illinois	1991, P.A. 87-358	9-9-1991	S.H.A. 735 ILCS 5/12-650 to 5/12-657.
Indiana	2010, P.L.63-2010	3-17-2010[FN*]	West's A.I.C. 34-54-11-1 to 34-54-11-7.
Iowa	1979, ch. 138	1-1-1980	I.C.A. §§ 626A.1 to 626A.8.
Kansas	1970, c. 243	7-1-1970	K.S.A. §§ 60-3001 to 60-3008.
Kentucky	1990, c. 317	4-6-1990[FN*]	KRS 426.950 to 426.975.
Louisiana	1985, No. 464	7-12-1985[FN*]	LSA-R.S. 13:4241 to 13:4247.
Maine	1975, c. 335	5-22-1975	14 M.R.S.A. §§ 8001 to 8008.
Maryland	1987, c. 497	7-1-87	Code, Courts and Judicial Proceedings, §§ 11-801 to 11-807.
Michigan	1996, No. 502	6-1-1997	M.C.L.A. §§ 691.1171 to 691.1179.
Minnesota	1977, c. 51	7-1-1977	M.S.A. §§ 548.26 to 548.33.
Mississippi	1984, c. 403	7-1-1984	Code 1972, §§ 11-7-301 to 11-7-309.
Missouri		1-1-1988	V.A.M.R.Civ.Proc.R. 74.14.
Montana	1989, c. 66	10-1-1989	MCA 25-9-501 to 25-9-508.
Nebraska	1993, LB 458	1-1-1994	R.R.S. 1943, §§ 25-1587.01 to 25-1587.09.
Nevada	1979, c. 656	6-5-1979[FN*]	N.R.S. 17.330 to 17.400.
New Hampshire	1994, 266:1	6-6-1994	RSA 524-A:1 to 524-A:8.
New Jersey	1997, c. 204	7-14-1997	N.J.S.A. 2A:49A-25 to 2A:49A-33.
New Mexico	1989, c. 256	4-6-1989[FN*]	NMSA 1978, §§ 39-4A-1 to 39-4A-6.
New York	1970, c. 982	9-1-1970	McKinney's CPLR 5401 to 5408.
North Carolina	1989, c. 747	10-1-1989	G.S. §§ 1C-1701 to 1C-1708.
North Dakota	1969, c. 294	7-1-1969	NDCC 28-20.1-01 to 28-20.1-08.
Ohio	1983, S. 23	7-29-1983	R.C. §§ 2329.021 to 2329.027.
Oklahoma	1968, c. 170	4-15-1968	12 Okl.St.Ann. §§ 719 to 726.
Oregon	1955, c. 647	5-21-1955[FN*]	ORS 24.105 to 24.175.
Pennsylvania	1965, c. 647	5-21-1965	42 Pa.C.S.A. § 4306.

Rhode Island	1985, c. 104		Gen.Laws 1956, §§ 9-32-1 to 9-32-8.
South Carolina	1993, Act No. 80	6-11-1993	Code 1976, §§ 15-35-900 to 15-35-960.
South Dakota	1975, c. 160		SDCL 15-16A-1 to 15-16A-10.
Tennessee	1976, c. 530	3-17-1978	T.C.A. §§ 26-6-101 to 26-6-108.
Texas	1985, c. 959	9-1-1985	V.T.C.A., Civil Practice & Remedies Code §§ 35.001 to 35.008.
Utah	1983, c. 169	7-1-1983	U.C.A.1953, §§ 78B-5-301 to 78B-5-307.
Virgin Islands	1992, Act No. 5777	2-18-1992[FN*]	5 V.I.C. §§ 551 to 558.
Virginia	1988, c. 539		Code 1950, §§ 8.01-465.1 to 8.01-465.5.
Washington	1953, c. 191	3-18-1953[FN*]	West's RCWA 6.36.010 to 6.36.910.
West Virginia	1989, c. 3		Code 55-14-1 to 55-14-8.
Wisconsin	1965, c. 379	11-24-1965	W.S.A. 806.24.
Wyoming	1965, c. 47	2-11-1965	Wyo.Stat.Ann. §§ 1-17-701 to 1-17-707.

[FN\*] Date of approval.

## § 15-351. DEFINITIONS.

For the purposes of this subchapter, the term:

- (1) "District" means the District of Columbia.
- (2) "Foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court that is entitled to full faith and credit in the District.
- (3) "Superior Court" means the Superior Court of the District of Columbia.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-351.

#### *Legislative History of Laws*

Law 8-173, the "Uniform Enforcement of Foreign Judgments Act of 1990," was introduced in Council and assigned Bill No. 8-56, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on June 26, 1990, and July 10, 1990, respectively. Signed by the Mayor on July 18, 1990, it was assigned Act No. 8-240 and transmitted to both Houses of Congress for its review.

#### *Uniform Law*

This section is based upon § 1 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## § 15-352. FILING AND STATUS OF FOREIGN JUDGMENTS.

A copy of any foreign judgment authenticated in accordance with the laws of the District may be filed in the Office of the Clerk of the Superior Court ("Clerk"). A foreign judgment filed with the Clerk shall have the same effect and be subject to the same procedures, defenses, or proceedings for reopening, vacating, or staying as a judgment of the Superior Court and may be enforced or satisfied in the same manner.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-352.

#### *Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

#### *Uniform Law*

This section is based upon § 2 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-353. NOTICE OF FILING.**

(a) At the time of the filing of the foreign judgment, the judgment creditor or the judgment creditor's lawyer shall make and file with the Clerk an affidavit that sets forth the names and last known addresses of the judgment debtor and the judgment creditor.

(b) Promptly upon the filing of the foreign judgment and the affidavit, the Clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and address or name and post office address of the judgment creditor and the judgment creditor's lawyer, if any, in the District. The judgment creditor may mail a notice of the filing of the foreign judgment to the judgment debtor and may file proof of mailing with the Clerk. Lack of mailing notice of filing by the Clerk shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-353.

#### *Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

#### *Uniform Law*

This section is based upon § 3 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-354. STAY.**

(a) Upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which the judgment is rendered, and if the judgment debtor shows the Superior Court that an appeal from the foreign judgment is pending or shall be taken or that a stay of execution has been granted, the Superior Court shall stay enforcement of the foreign judgment until:

- (1) The appeal is concluded;
- (2) The time for appeal expires; or
- (3) The stay of execution expires or is vacated.

(b) If the judgment debtor shows the Superior Court any ground upon which enforcement of a judgment of the Superior Court would be stayed, the Superior Court shall stay enforcement of the foreign judgment for an appropriate period upon requiring the same security for satisfaction of a judgment that is required in the District.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-354.

#### *Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

#### *Uniform Law*

This section is based upon § 4 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-355. FEES.**

Any person filing a foreign judgment shall pay to the Clerk the fee established by the Superior Court. Fees for docketing, transcription, or other enforcement proceedings shall be as provided for judgments of the Superior Court.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-355.

*Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

*Uniform Law*

This section is based upon § 5 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-356. OPTIONAL PROCEDURE.**

The right of a judgment creditor to bring an action to enforce a judgment in lieu of proceeding under this subchapter remains unimpaired.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-356.

*Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

*Uniform Law*

This section is based upon § 6 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-357. UNIFORMITY OF INTERPRETATION.**

This subchapter shall be interpreted and construed to effectuate its general purpose to make uniform the law of jurisdictions that enact it.

(Oct. 2, 1990, D.C. Law 8-173, § 2(b), 37 DCR 5005.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-357.

*Legislative History of Laws*

For legislative history of D.C. Law 8-173, see Historical and Statutory Notes following § 15-351.

*Uniform Law*

This section is based upon § 7 of the Uniform Enforcement of Foreign Judgments Act (1964). See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

# **SUBCHAPTER II-A. UNIFORM FOREIGN-COUNTRY MONEY JUDGMENTS.**

## **§ 15-361. SHORT TITLE.**

This subchapter may be cited as the "Uniform Foreign-Country Money Judgments Recognition Act of 2011".

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

Law 19-86, the "Uniform Foreign-Country Money Judgments Recognition Act of 2011", was introduced in Council and assigned Bill No. 19-216, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on November 1, 2011, and December 6, 2011, respectively. Signed by the Mayor on December 21, 2011, it was assigned Act No. 19-246 and transmitted to both Houses of

Congress for its review. D.C. Law 19-86 became effective on February 24, 2012.

*Uniform Law*

This section is based on § 1 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-362. DEFINITIONS.**

For the purposes of this subchapter, the term:

(1) "Foreign country" means a government other than:

(A) The United States;

(B) The District of Columbia, a state, district, commonwealth, territory, or insular possession of the United States; or

(C) Any other government with regard to which the decision in the District of Columbia as to whether to recognize a judgment of that government's courts is initially subject to determination under the Full Faith and Credit Clause of the United States Constitution.

(2) "Foreign-country judgment" means a judgment of a court of a foreign country.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based on § 2 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-363. APPLICABILITY.**

(a) Except as otherwise provided in subsection (b) of this section, this subchapter applies to a foreign-country judgment to the extent that the judgment:

(1) Grants or denies recovery of a sum of money; and

(2) Under the law of the foreign country where rendered, is:

(A) Final;

(B) Conclusive; and

(C) Enforceable.

(b) This subchapter does not apply to a foreign-country judgment, even if the judgment grants or denies recovery of a sum of money, to the extent that the judgment is a:

(1) Judgment for taxes;

(2) Fine or other penalty; or

(3) Judgment for:

(A) Divorce;

(B) Support or maintenance; or

(C) Other judgment rendered in connection with domestic relations.

(c) A party seeking recognition of a foreign-country judgment has the burden of establishing that this subchapter applies to the foreign-country judgment.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

## **§ 15-364. STANDARDS FOR RECOGNITION OF FOREIGN-COUNTRY JUDGMENT.**

- (a) Except as otherwise provided in subsections (b) and (c) of this section, a court of the District of Columbia shall recognize a foreign-country judgment to which this subchapter applies.
- (b) A court of the District of Columbia may not recognize a foreign-country judgment if the:
- (1) Judgment was rendered under a judicial system that does not provide impartial tribunals or procedures compatible with the requirements of due process of law;
  - (2) Foreign court did not have personal jurisdiction over the defendant; or
  - (3) Foreign court did not have jurisdiction over the subject matter.
- (c) A court of the District of Columbia need not recognize a foreign-country judgment, if the:
- (1) Defendant in the proceeding in the foreign court did not receive notice of the proceeding in sufficient time to enable the defendant to defend;
  - (2) Judgment was obtained by fraud that deprived the losing party of an adequate opportunity to present its case;
  - (3) Judgment or the cause of action on which the judgment is based is repugnant to the public policy of the District of Columbia or of the United States;
  - (4) Judgment conflicts with another final and conclusive judgment;
  - (5) Proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be determined otherwise than by proceedings in that foreign court;
  - (6) Foreign court, in the case of jurisdiction based only on personal service, was a seriously inconvenient forum for the trial of the action;
  - (7) Judgment was rendered in circumstances that raise substantial doubt about the integrity of the rendering court with respect to the judgment; or
  - (8) Specific proceeding in the foreign court leading to the judgment was not compatible with the requirements of due process of law.
- (d) A party resisting recognition of a foreign-country judgment has the burden of establishing that a ground for nonrecognition stated in subsection (b) or (c) of this section exists.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based on § 4 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-365. PERSONAL JURISDICTION.**

- (a) A foreign-country judgment may not be refused recognition for lack of personal jurisdiction if the:
- (1) Defendant was served with process personally in the foreign country;
  - (2) Defendant voluntarily appeared in the proceeding, other than for the purpose of protecting property seized or threatened with seizure in the proceeding or of contesting the jurisdiction of the court over the defendant;
  - (3) Defendant, before the commencement of the proceeding, had agreed to submit to the jurisdiction of the foreign court with respect to the subject matter involved;
  - (4) Defendant was domiciled in the foreign country when the proceeding was instituted or was a corporation or other form of business organization that had its principal place of business in, or was organized under the laws of, the foreign country;
  - (5) Defendant had a business office in the foreign country and the proceeding in the foreign court involved a cause of action arising out of business done by the defendant through that office in the foreign country; or

(6) Defendant operated a motor vehicle or airplane in the foreign country and the proceeding involved a cause of action arising out of that operation.

(b) The list of bases for personal jurisdiction in subsection (a) of this section is not exclusive. The courts of the District of Columbia may recognize bases of personal jurisdiction other than those listed in subsection (a) of this section as sufficient to support a foreign-country judgment.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

##### *Uniform Law*

This section is based on § 5 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-366. PROCEDURE FOR RECOGNITION OF FOREIGN-COUNTRY JUDGMENT.**

(a) If recognition of a foreign-country judgment is sought as an original matter, the issue of recognition shall be raised by filing an action seeking recognition of the foreign-country judgment.

(b) If recognition of a foreign-country judgment is sought in a pending action, the issue of recognition may be raised by counterclaim, cross-claim, or affirmative defense.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

##### *Uniform Law*

This section is based on § 6 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-367. EFFECT OF RECOGNITION OF FOREIGN-COUNTRY JUDGMENT.**

If the court in a proceeding under § 15-366 finds that the foreign-country judgment is entitled to recognition under this subchapter, to the extent that the foreign-country judgment grants or denies recovery of a sum of money, the foreign-country judgment is:

(1) Conclusive between the parties to the same extent as the judgment of a sister state entitled to full faith and credit in the District of Columbia would be conclusive; and

(2) Enforceable in the same manner and to the same extent as a judgment rendered in the District of Columbia.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

##### *Uniform Law*

This section is based on § 7 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-368. STAY OF PROCEEDINGS PENDING APPEAL OF FOREIGN-COUNTRY JUDGMENT.**

If a party establishes that an appeal from a foreign-country judgment is pending or will be taken, the court may stay any proceedings with regard to the foreign-country judgment until the:

(1) Appeal is concluded;



(2) Time for appeal expires; or

(3) Appellant has had sufficient time to prosecute the appeal and has failed to do so.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based on § 8 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-369. STATUTE OF LIMITATIONS.**

An action to recognize a foreign-country judgment must be commenced within the earlier of the time during which the foreign-country judgment is effective in the foreign country or 15 years from the date that the foreign-country judgment became effective in the foreign country.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based on § 9 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-370. UNIFORMITY OF INTERPRETATION.**

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based on § 10 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

## **§ 15-371. SAVING CLAUSE.**

This subchapter does not prevent the recognition under principles of comity or otherwise of a foreign-country judgment not within the scope of this subchapter.

(Feb. 24, 2012, D.C. Law 19-86, § 2(b), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Legislative History of Laws*

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based on § 11 of the Uniform Foreign-Country Money Judgments Recognition Act. See Vol. 13, Part II, Uniform Laws Annotated, Master Edition or ULA Database on Westlaw.

# **SUBCHAPTER III. UNIFORM FOREIGN-MONEY JUDGMENTS.[REPEALED]**

## **§ 15-381. DEFINITIONS.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Mar. 13, 2004, D.C. Law 15-105, § 100, 51 DCR 881; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-381.

#### *Legislative History of Laws*

Law 11-84, the "Uniform Foreign Money Judgments Recognition Act of 1995," was introduced in Council and assigned Bill No. 11-229, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on October 10, 1995, and November 7, 1995, respectively. Signed by the Mayor on November 28, 1995, it was assigned Act No. 11-163 and transmitted to both Houses of Congress for its review. D.C. Law 11-84 became effective on February 10, 1996.

Law 15-105, the "Technical Amendments Act of 2003", was introduced in Council and assigned Bill No. 15-437, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on November 4, 2003, and December 2, 2003, respectively. Signed by the Mayor on January 6, 2004, it was assigned Act No. 15-291 and transmitted to both Houses of Congress for its review. D.C. Law 15-105 became effective on March 13, 2004.

Law 19-86, the "Uniform Foreign-Country Money Judgments Recognition Act of 2011", was introduced in Council and assigned Bill No. 19-216, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on November 1, 2011, and December 6, 2011, respectively. Signed by the Mayor on December 21, 2011, it was assigned Act No. 19-246 and transmitted to both Houses of Congress for its review. D.C. Law 19-86 became effective on February 24, 2012.

#### *Uniform Law*

This section is based upon § 1 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-382. RECOGNITION AND ENFORCEMENT.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-382.

#### *Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based upon § 3 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-383. GROUNDS FOR NONRECOGNITION.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-383.

#### *Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based upon § 4 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-384. PERSONAL JURISDICTION.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-384.

#### *Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based upon § 5 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-385. STAY IN CASES OF APPEAL.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-385.

#### *Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based upon § 6 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-386. SAVINGS CLAUSE.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Mar. 13, 2004, D.C. Law 15-105, § 100, 51 DCR 881; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 15-386.

#### *Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For Law 15-105, see notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

#### *Uniform Law*

This section is based upon § 7 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

## **§ 15-387. APPLICABILITY.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Mar. 13, 2004, D.C. Law 15-105, § 100, 51 DCR 881; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

### *HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-387.

*Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For Law 15-105, see notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based upon § 2 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.

**§ 15-388. UNIFORMITY OF APPLICATION AND CONSTRUCTION.[REPEALED]**

(Feb. 10, 1996, D.C. Law 11-84, § 2, 42 DCR 6787; Mar. 13, 2004, D.C. Law 15-105, § 100, 51 DCR 881; Feb. 24, 2011, D.C. Law 19-86, § 2(c), 58 DCR 11186.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 15-388.

*Legislative History of Laws*

For legislative history of D.C. Law 11-84, see Historical and Statutory Notes following § 15-381.

For Law 15-105, see notes following § 15-381.

For history of Law 19-86, see notes under § 15-361.

*Uniform Law*

This section is based upon § 8 of the Uniform Foreign Money-Judgments Recognition Act. See 13 Uniform Laws Annotated, Master Edition, or ULA Database on WESTLAW.