



THE UNIFORM REGISTRATION OF CANADIAN MONEY JUDGMENTS ACT

– A Summary –

The Uniform Registration of Canadian Money Judgments Act (“Registration Act”) creates an administrative procedure for the registration and enforcement of a Canadian money judgment in an enacting state. Once the Canadian judgment is successfully registered in the state, the judgment is enforceable in the same manner as a judgment rendered in that state. The Registration Act only applies to a Canadian judgment if it: (1) grants or denies recovery of a sum of money; (2) is final, conclusive, and enforceable in Canada; and (3) its recognition is sought in order to enforce the judgment.

The Registration Act supplements the Uniform Foreign-Country Money Judgments Recognition Act (“Recognition Act”) by providing an alternative method to seeking recognition and enforcement of a foreign judgment. Section 6 of the Recognition Act requires the filing of a lawsuit to seek recognition and enforcement of a judgment, whereas the Registration Act offers a simple administrative alternative.

Section 4 of the Registration Act describes the steps to register a Canadian judgment and includes a sample registration form. First, the person seeking registration or that person’s attorney must submit the completed registration form and required attachments to the clerk of court or other designated administrative official. Upon receipt of the registration, the clerk must file the registration, assign a docket number, and enter the Canadian judgment in the court’s docket.

A person that registers a Canadian judgment under Section 4 of the Act must cause notice of the registration to be served on the person against whom the judgment has been registered. Section 6 of the Act states the information that must be included in the notice. Certain enforcement actions are prohibited for the 30 days following service of the notice of registration.

Section 7 of the Registration Act permits a person against whom the judgment was registered to petition the court to vacate the registration. A petition may only assert (1) a ground that could be asserted to deny recognition under the Recognition Act; or (2) a failure to comply with the requirements of the Registration Act. A person that files a petition to vacate under Section 7 may also request the court stay enforcement of the judgment pending determination of the petition.

The Registration Act offers an efficient alternative to filing a lawsuit to recognize and enforce a Canadian money judgment in the United States and should be enacted widely.

For further information about Registration Act, please contact ULC Legislative Counsel Kaitlin Wolff at (312) 450-6615 or kwolff@uniformlaws.org.