

7 GCA CIVIL PROCEDURE
CH 51 THE UNIFORM ENFORCEMENT OF
FOREIGN JUDGMENTS ACT OF 2014

CHAPTER 51
THE UNIFORM ENFORCEMENT OF
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SOURCE: P.L. 32-215:2 (Dec. 29, 2014) added 7 GCA Chapter 51.

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§ 51101. Title.

This Act shall be known as the “Uniform Enforcement of Foreign Judgments Act (UEFJA) of 2014.”

§ 51102. Purpose.

The purpose of this Act is to provide for a simpler and more efficient procedure to domesticate judgments rendered in other states or territories of the United States that result from needing to bring a new lawsuit to enforce a sister-state judgment.

§ 51103. Definitions.

As used in this Act, unless the context otherwise requires, foreign judgment means any judgment, decree, or order of a court of the United States, or of any other court, which is entitled to full faith and credit in Guam.

§ 51104. Filing and Status of Foreign Judgments.

A copy of any foreign judgment authenticated in accordance with an act of Congress or the statutes or court rules of Guam may be filed in the office of the Clerk of the Superior Court of Guam. The Clerk shall treat the foreign judgment in the same manner as a judgment of the Superior Court of Guam.

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A judgment so filed has the same effect and is subject to the same procedures, defenses, and proceedings for reopening, vacating, or staying as a judgment of the Superior Court of Guam, and may be enforced or satisfied in like manner.

§ 51105. 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 of Court an affidavit setting forth the name and last known post office address of the judgment debtor and the judgment creditor.

(b) Promptly upon the filing of the foreign judgment and the affidavit, the Clerk shall mail a 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 post office address of the judgment creditor and the judgment creditor's lawyer, if any, in Guam. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the Clerk. Lack of mailing notice of the filing by the Clerk shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

(c) No execution or other process for enforcement of a foreign judgment filed hereunder shall issue until thirty (30) days after the date the judgment is filed.

§ 51106. Stay.

(a) If the judgment debtor shows the Superior Court in which the judgment is filed that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the Court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state or other jurisdiction in which it was rendered.

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

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§ 51107. Fees.

Any person filing a foreign judgment shall pay to the Clerk of Court a filing fee equal to that established by court rule for the filing of civil actions.

§ 51108. Optional Procedure.

The right of a judgment creditor to bring an action to enforce his judgment instead of proceeding under this Act remains unimpaired.

§ 51109. Uniformity of Interpretation.

This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states and other jurisdictions which enact it.
