

Government of the District of Columbia
Office of the Chief Financial Officer



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Kwame R. Brown
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi 
Chief Financial Officer

DATE: June 20, 2011

SUBJECT: Fiscal Impact Statement – “Uniform Foreign-Country Money Judgments Recognition Act of 2011”

REFERENCE: Bill 19-216, As Introduced

Conclusion

Funds are sufficient in the proposed FY 2012 through FY 2015 budget and financial plan to implement the provisions of the proposed legislation.

Background

The proposed legislation would amend current law¹ to replace² the existing rules for the recognition of foreign country monetary judgments with an updated version³ that clarifies previous ambiguities and contains new provisions.⁴

These new rules would retain many of the current provisions, albeit with some minor edits. These include provisions that detail when a foreign-country judgment may not be refused recognition for lack of personal jurisdiction and when the District may not recognize a foreign-country judgment,

¹ Chapter 3 (Enforcement of Judgments and Decrees) of Title 15 (Judgments and Executions; Fees and Costs) of the District of Columbia Official Code.

² By repealing Subchapter III (Uniform Foreign-Money Judgments).

³ Subchapter II-A. Uniform Foreign-Country Money Judgments.

⁴ The current code reflects the “Uniform Foreign Monetary Judgments Recognition Act,” which was promulgated by the Uniform Law Commission (“Commission”) in 1962. The District adopted this language in 1995 with the passage of D.C. Law 11-84, “Uniform Foreign Money Judgments Recognition Act of 1995.” The proposed language reflects the “Uniform Foreign-Country Money Judgments Recognition Act,” which is the revised version of the 1965 Act promulgated by the Commission in 2005. This language takes into account lessons learned from states’ experiences with the 1965 Act.

The Honorable Kwame R. Brown

FIS: Bill 19-216, "Uniform Foreign-Country Money Judgments Recognition Act of 2011," As Introduced

as well as a provision regarding the need to promote uniformity of interpretation among states that enact similar legislation.

However, the new rules also differ from the existing rules: they would provide greater detail on what constitutes a "foreign country" and the types of foreign-country judgments the rules would apply to, additional situations under which a D.C. court need not recognize a foreign-country judgment, procedures for recognition of a foreign-country judgment, and a statute of limitations for their recognition.

Financial Plan Impact

Funds are sufficient in the proposed FY 2012 through FY 2015 budget and financial plan to implement the provisions of the proposed legislation. Updating the current code regarding foreign-country judgments would not have any fiscal impact.