

STATE OF OREGON

ENROLLMENT OF FOREIGN JUDGMENT

Uniform Enforcement of Foreign Judgments Act

Control Number – OR – EFJ - 01

This packet contains the following:

1. Instructions;
2. Forms; and
3. Access to Law Summary.

NOTE ABOUT COMPLETING THE FORMS

The form(s) in this packet contain “form fields” created using Microsoft Word. “Form fields” facilitate completion of the forms using your computer. They do not limit you ability to print the form “in blank” and complete with a typewriter or by hand.

It is also helpful to be able to see the location of the form fields. Go to the View menu, click on Toolbars, and then select Forms. This will open the forms toolbar. Look for the button on the forms toolbar that resembles a “shaded letter “a”. Click in this button and the form fields will be visible.

In order to use the form fields properly, it is necessary to “lock or protect” the document. If you wish to make any changes in the body of the form, it is necessary for you “unlock” or “unprotect” the form.

This is done by clicking on “Tools” in the Menu bar and then selecting “unprotect document”. You may then be prompted to enter a password. If so, the password is “uslf”. That is uslf **in lower case letters without the quotation marks**.

It is very important to understand that, once the document is unprotected, any data entered in the form fields will be lost when the document is again protected. If changes are necessary, unlock the document, using the password “uslf” if necessary, and make any changes that you feel are required. Then protect the document once again.

After any required changes and re-protecting the document, click on the first form field and enter the required information. You will be able to navigate through the document from form field to form field using your tab key. Tab to a form field and insert your data. Inserting data will result in the default line disappearing. You will have sufficient space to enter any required information.

DISCLAIMER

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ENROLLMENT OF A FOREIGN JUDGMENT

A foreign judgment is a judgment entered by a court other than the court of the state where the judgment is sought to be enrolled. Enrolling a judgment allows the judgment creditor or person holding the judgment to enforce it in the state of enrollment and the enrollment creates a judgment lien against the property of the Judgment Debtor.

Requirements:

1. The Judgment must be a final judgment.
2. The Judgment must be “certified pursuant to acts of congress” or "triple-sealed". This means that a judge of a court of record must authenticate the order or abstract, the clerk of court must authenticate the judge's authentication as genuinely that of a judge of a court of record, and a judge must authenticate the clerk as clerk.
3. Execute an Affidavit in Support of Request to Enroll Foreign Judgment with the specific Money Judgment Statement required by statute[Form One], a Request for Enrollment with Judgment attached as Exhibit A [Form Two] and Notice of Enrollment [Form Three].
4. Using the enclosed Cover Letter, send Affidavit in Support of Request to Enroll Foreign Judgment [Form One], a Request for Enrollment with Judgment attached as Exhibit A [Form Two] and Notice of Enrollment [Form Three] to the clerk of the court where the judgment is sought to be enrolled.
5. Mail a copy of the Notice of Enrollment to the judgment debtor.
6. Wait the required time of 30 days after mailing by the Clerk of the Court of the Notice of Enrollment and then you may execute on property of the judgment debtor that is not exempt from execution.

The judgment becomes a final judgment of that court when recorded in the Office of the Clerk, and can be readily transferred from one county to another as the final judgment of the enrolling court.

See 28 U.S.C. §1738 for statutory requirements for orders which must be extended full faith and credit. States may give full faith and credit without the documentary requirements but they must give full faith and credit if the requirements are met.

Enrollment of a foreign judgment in the State of Oregon is controlled by the Uniform Enforcement of Foreign Judgments Act, Oregon Revised Statutes, Chapter 24, Sections 24.115 through 24.175, inclusive.

A Law Summary is available and can be printed for your State. To do so, go to where you located this package and select the Law Summary link under the form title and print. Review the Law Summary before beginning the process of completing the forms.

Date

Return Name and Address

(Name and address of Clerk of Court)

Re: [style of case]

Dear Sir or Madam:

Enclosed for filing is a Notice of Enrollment of Foreign Judgment and Request For Enrollment of Foreign Judgment pursuant to the _____ Foreign Judgment's Act. A filing fee of \$_____ is also enclosed. Please return a filed copy to me.

Please advise if you need anything further at this time.

With kindest regards, I am

Sincerely yours,

Print or Type Name

Enclosures

City, State and Zip Code

5. That the Affiant is filing such judgment in only one court in the State of Oregon; and
6. Finally, that the Judgment is final, remains unsatisfied, in whole or part, that the balance of the Judgment which remains unpaid is \$_____, and that there is no contest of the judgment pending.

Plaintiff or Attorney for Plaintiff

STATE OF OREGON

COUNTY OF _____

This instrument was acknowledged before me on _____ (date) by

| _____ (name(s) of person(s)).

Notary Public

Type or Print Name

My Commission Expires: _____

MONEY JUDGMENT

1. Judgment Creditor:

Name	Address	City/State/Zip
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Judgment Creditor's Attorney:

Name	Address	City/State/Zip
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Telephone

2. Judgment Debtor # 1:

Name	Address (if known)	City/State/Zip (if known)
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Date of Birth (if known) (if known)	Social Security Number (if known)	Drivers License No. and State of Issuance (if known)
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Judgment Debtor # 2:

Name	Address (if known)	City/State/Zip (if known)
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Date of Birth (if known) (if known)	Social Security Number (if known)	Drivers License No. and State of Issuance (if known)
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3. Name and address of any person or public body known to the Judgment Creditor, other than the Judgment Creditors attorney, who is entitled to a portion of a payment made on the judgment:

Name	Address	City/State/Zip
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Name

Address

City/State/Zip

4. Amount of Judgment: \$

5. Amount of Interest owed to date of Judgment in the form of:

Specific amount: | \$

Or

As Accrual Information to include the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals:

6. Post-Judgment Interest accrual information to include the rate or rates of interest, the balance or balances upon which interest accrues, the date or dates from which interest at each rate on each balance runs, and whether interest is simple or compounded and, if compounded, at what intervals:

7. For judgments that accrue on a periodic basis, any accrued arrearages, required further payments per period and accrual dates:

8. The Judgment awards the following: (complete all applicable)

a. Costs and Disbursements in the amount of \$

b. Attorneys Fees in the amount of \$

The above does not include amounts to be determined later under Rule 68C of the Oregon Rules of Civil Procedure.

Plaintiff or Plaintiff's Counsel

Type or Print Name

IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR THE COUNTY OF _____

CERTIFICATE OF SERVICE

This is to certify that I, _____ [Name of Plaintiff or attorney for Plaintiff], have forwarded this date a true and correct copy of the above and foregoing document, by U.S. Mail, postage fully prepaid, to:

Mail, postage fully prepaid, to:

Name of Judgment Debtor/Defendant _____
Address _____
City, State, Zip _____

Name of Clerk _____
Address _____
City, State, Zip _____

This the _____ day of _____, 20____.

IN THE CIRCUIT COURT FOR THE STATE OF OREGON

FOR THE COUNTY OF _____

PLAINTIFF

V.

NO. _____

DEFENDANT

NOTICE OF ENROLLMENT OF FOREIGN JUDGMENT

Pursuant to the provisions of the Oregon Uniform Enforcement of Foreign Judgments Act, notice is hereby given that a Judgment entered on the _____ day of _____, 20____ by the _____ Court of _____ County, _____, Case No. _____ in favor of _____ and against _____ in the amount of \$_____, plus attorneys fees in the amount of \$_____ which was enrolled in the Circuit Court of _____ County, _____ on the _____ day of _____, 20_____.

If this Judgment is not paid, execution of same may be commenced within 5 days of the date of filing.

DATED this the _____ day of _____, 20_____.

CERTIFICATE OF SERVICE

This is to certify that I, _____ [Name of Plaintiff or attorney for Plaintiff], have forwarded this date a true and correct copy of the above and foregoing document, by U.S. Mail, postage fully prepaid, to:

Name of Judgment Debtor/Defendant _____
Address _____
City, State, Zip _____

Name of Clerk _____
Address _____
City, State, Zip _____

This the _____ day of _____, 20____.
