



# Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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## WHY YOUR STATE SHOULD ADOPT THE UNIFORM REGISTRATION OF CANADIAN MONEY JUDGMENTS ACT

The Uniform Registration of Canadian Money Judgments Act (“Registration Act”) creates a simple registration procedure to recognize and enforce a Canadian money judgment in the United States. The Registration Act is designed to work alongside the Uniform Foreign-Country Money Judgments Recognition Act (“Recognition Act”). Once a Canadian judgment is registered under the Act, it may be enforced in the same way as a judgment rendered in the state. The Registration Act provides the following advantages for enacting states:

- ***Streamlines the recognition and enforcement process.*** Section 6 of the Recognition Act requires a person to file a lawsuit in order to recognize a foreign-country money judgment. The Registration Act, on the other hand, offers an expedited administrative process to accomplish the same goal, helping to reduce legal costs.
- ***Conserves judicial resources.*** The process established in the Registration Act was designed to reduce judicial workload and help decongest court dockets because it does not require the court to hold a full judicial proceeding to recognize and enforce a Canadian money judgment.
- ***Harmonizes with Canadian law.*** The Registration Act establishes a registration procedure similar to the Canadian registration procedure regarding foreign judgments. The similar registration procedures will benefit those registering judgments from Canada in the United States under this Act and those registering United States judgments in Canada under the Canadian statute.
- ***Facilitates commerce between the United States and Canada.*** Canada is one of the United States’ most important trading partners. The Registration Act facilitates commerce between the two countries by offering a streamlined, less expensive procedure for the recognition and enforcement of money judgments, which are a result of commercial activity between the nations.

For more information about the Registration Act, please contact ULC Legislative Counsel Kaitlin Wolff at (312) 450-6615 or [kwolff@uniformlaws.org](mailto:kwolff@uniformlaws.org).



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## 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](mailto:kwolff@uniformlaws.org).