

CALIFORNIA LAW REVISION COMMISSION

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Recognition of Tribal and Foreign Court Money Judgments

Request for Public Comment

The California Law Revision Commission seeks public comment on its proposal to reform and clarify the standards of recognition governing tribal and foreign court money judgments.

Currently, California law includes substantive standards governing the recognition of foreign country and tribal court money judgments. These substantive standards are derived from the 2005 Uniform Foreign-Country Money Judgments Recognition Act. The Legislature directed the Commission to study these standards and report its findings and any recommendations for improvement to the standards.

For the most part, the Commission found that the standards are operating appropriately in practice. The Commission's tentative recommendation includes proposed reforms and commentary to provide clarification on the following issues:

- Exercises of discretion to recognize a foreign or tribal court judgment in spite of a defect in the foreign or tribal court proceeding.
- Assessment of whether a foreign or tribal court lacked personal jurisdiction over the defendant.
- Defects in notice that could lead to nonrecognition of a foreign or tribal court judgment.
- Types of fraud that could lead to nonrecognition of a foreign or tribal court judgment.
- Resolving a situation of conflicting judgments.
- Recognition of foreign defamation judgments.

The tentative recommendation is available from the California Law Revision Commission, 4000 Middlefield Road, Room D-2, Palo Alto, CA 94303-4739. The tentative recommendation is also available on the Commission's website (www.clrc.ca.gov) through the pull-down "Reports" menu.

The Commission often substantially revises its recommendations in response to public comment. To receive timely consideration, comments should be submitted to the Commission by **August 1, 2016**.
