



Registering a Foreign Judgment

A Research Guide for a North Dakota State Civil Court Process

The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota courts.

The information provided in this research guide isn't a complete statement of the law. This information is intended as a starting point for your research into registering a foreign judgment in a North Dakota state district court. The information provided in this research guide **isn't** intended for legal advice and **can't** replace the advice of a lawyer licensed to practice law in the state of North Dakota.

The self-represented individual must make all decisions about how to proceed.

References to non-ND Legal Self Help Center resources are included for your convenience only. Including these references does not mean the ND Legal Self Help Center endorses, warrants, or accepts responsibility for the content or uses of the resource. **Use at your own risk.**

Overview of Registering a Foreign Judgment

An authenticated copy of a judgment, decree or order of any other United States state court may be filed in a North Dakota state district court.

A foreign judgment accepted for registration in a North Dakota state district court is treated in the same manner as a judgment issued by a North Dakota state district court.

For example, the registered foreign judgment may be enforced, collected or satisfied using the same processes available for judgments issued by North Dakota state district courts. (*See the [Judgment Collection for the Winning Party](#) informational guide.*)

Caution! Additional or different requirements may apply, depending on the type of foreign judgment. This research guide contains information for foreign judgments registered under North Dakota Century Code Chapter 28-20.1 only.

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North Dakota Statutes Related to Registering a Foreign Judgment

(North Dakota statutes are found in the North Dakota Century Code (NDCC). The North Dakota Century Code contains the laws enacted through the North Dakota Legislative Process. The NDCC is available at ndlegis.gov/general-information/north-dakota-century-code/index.html.)

Chapter 28-20. Judgments. ndlegis.gov/cencode/t28c20.html

Chapter 28-20.1. Enforcement of Foreign Judgments. ndlegis.gov/cencode/t28c20-1.html

In Chapter 28-20.1, "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 North Dakota.

Chapter 28-21. Execution of the Judgment. ndlegis.gov/cencode/t28c21.html

Chapter 28-22. Exemptions. ndlegis.gov/cencode/t28c22.html

North Dakota Case Law

(When the decision of a case is appealed from a North Dakota state district court to the North Dakota Supreme Court, the Supreme Court writes their opinion to explain how and why they interpreted the laws or rules to decide the appeal the way they did. The opinions are case law and are followed by North Dakota courts deciding later cases with similar facts and issues.)

One way to research case law related to registering a foreign judgment, is to use the print version of the North Dakota Century Code to find the short summaries of case law after each Section of the Century Code. The case law summaries are located directly following the text of the Century Code Section. To view the full text of the opinion, go to ndcourts.gov/supreme-court/opinions and enter the case name or case citation.

Another way to research case law related to registering a foreign judgment, is to search by topic at ndcourts.gov/supreme-court/opinions. Click on the topic in the "Topic" drop down menu.

North Dakota Court Rules

Court rules govern how a dispute makes its way to court and how the dispute is conducted. All of the court rules are available at ndcourts.gov/legal-resources/rules.

Laws Constantly Change Through Legislation, Administrative Ruling, and Court Decisions

To determine how a law applies to your situation, review the applicable law or laws, administrative rulings and court decisions. Notes of court decisions related to North Dakota law can be found in the print editions of the North Dakota Century Code. Print editions of the North Dakota Century Code and North Dakota court rules are found in many North Dakota public and academic libraries.

Only a lawyer licensed to practice in North Dakota who has agreed to represent you can give you legal advice. Legal advice includes interpreting how the laws and rules apply to your situation.

Library Resources *(Not all legal resources are available online.)*

ODIN is a shared library database of many North Dakota academic, public, state agency, and special libraries. Search ODIN for resources that may be available in a North Dakota library near you. (polaris.odinlibrary.org)

If the book is available for interlibrary loan through ODIN, ask the librarian or library staff of your local North Dakota library how to request the book.

Following are library resources that may be of interest to you:

North Dakota Century Code Annotated, Lexis Nexis, Creation Date c1959 – present.

North Dakota Court Rules Annotated, Lexis Nexis, Creation Date c1990 – present.

Other Legal Research Resources

How to Research a Legal Problem: A Guide for Non-Lawyers, American Association of Law Libraries. (www.aallnet.org)

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Process for Registering a Foreign Judgment

Documents Required for Registering a Foreign Judgment:

When registering a judgment under Chapter 28-20.1, the following documents are required:

- An Affidavit of Identification of the judgment debtor; and
- An authenticated copy of the foreign judgment.

Document You May Be Asked to Provide:

- A petition or application to register a foreign judgment.

File the Documents with the Clerk of District Court:

The documents are filed with the clerk of court of the county where you register your foreign judgment. If the clerk of court accepts your documents for filing, the clerk assigns a case number.

If your documents are accepted for filing, you must pay a \$10.00 filing fee.

Contact information for clerks of court by county is available at ndcourts.gov/court-locations.

Forms and instructions for requesting the court waive the \$10.00 filing fee are available at ndcourts.gov/legal-self-help/fee-waiver.

Notice of Filing:

When the petition, Affidavit of Identification and copy of the foreign judgment are filed, the clerk of court mails notice that the foreign judgment was filed to the judgment debtor. The clerk of court mails the notice of filing to the address of the judgment debtor listed in the Affidavit of Identification.

The clerk of court may require you to mail the notice of filing to the judgment debtor. If you mail the notice of filing of the foreign judgment to the judgment debtor, you must file the original, completed notice of filing and a declaration of service by mail, or an affidavit of service by mail with the clerk of court.

After the Foreign Judgment is Registered:

After a foreign judgment is registered in North Dakota District Court, you have the same judgment collection options as a judgment granted by a North Dakota court.

An informational guide to basic information about various processes to collect a judgment is available at <https://www.ndcourts.gov/legal-self-help>. Scroll to the "Miscellaneous" section.

Forms for Registering a Foreign Judgment

An **Affidavit of Identification form** is available at ndcourts.gov/legal-self-help. Scroll to the “Miscellaneous” section.

A **Notice of Filing form** is available at ndcourts.gov/legal-self-help/general-use-forms.

The ND Legal Self Help Center doesn't have a form for a petition or application to register a foreign judgment. If you're asked to provide a petition or application to register a foreign judgment, you create your own legal document.

Although the ND Legal Self Help Center doesn't have a form for a petition or application to register a foreign judgment, a variety of General-Use forms are available as a starting point for creating your own legal documents. Go to <https://www.ndcourts.gov/legal-self-help>.

An example of a petition to register a foreign judgment that was filed in a North Dakota court case is included at the end of this research guide. You may find this of interest as a general formatting example.

(Including the formatting example doesn't mean the ND Legal Self Help Center endorses, warrants, or accepts responsibility for the content or uses of the example. Use at your own risk.)

Other North Dakota Statutes Related to Foreign Judgments

This research guide **only** contains information for foreign judgments registered under North Dakota Century Code Chapter 28-20.1.

Depending on the type of foreign judgment, North Dakota law may have different or additional requirements. **Review the law(s) related to the topic of your foreign judgment to determine if different or additional requirements apply.**

The following are other North Dakota Century Code Chapters related to foreign judgments:
(*this is not an all-inclusive list*)

- Chapter 14-12.2. Uniform Interstate Family Support Act: ndlegis.gov/cencode/t14c12-2.html.
 - See Section 14-12.2-35 for registering a foreign support order.
- Chapter 14-14.1. Uniform Child Custody Jurisdiction and Enforcement Act: ndlegis.gov/cencode/t14c14-1.html.
 - For information about the registration and enforcement of out-of-state court or tribal court child custody determinations, go to ndcourts.gov/legal-self-help/foreign-custody-and-visitation.

- Chapter 28-20.3. Uniform Foreign Money Judgments Recognition Act: ndlegis.gov/cencode/t28c20-3.html.
 - Judgments of a governmental unit other than the United States or any state, district, commonwealth, territory, or insular possession of the United States.
- Chapter 28-35. Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act: ndlegis.gov/cencode/t28c35.html.
 - See Sections 28-35-17 and 28-35-18 for registering a guardianship or conservatorship order of another state.

Lawyer Resources & Limited Legal Representation

You aren't required to hire a lawyer to access the state court system. If you decide to represent yourself, you must follow all of the rules, laws and procedures that a lawyer is required to follow.

Lawyer Resources

For information about finding a lawyer to represent you, go to ndcourts.gov/legal-self-help/finding-a-lawyer.

- **Legal Services of North Dakota is a non-profit organization**, providing free legal assistance to North Dakota residents in a variety of matters based on income. Legal Services of North Dakota can also determine whether an applicant meets the income requirements for the Volunteer Lawyers program that offers low-cost legal assistance based on income. The phone number is (800) 634-5263 and the website is legalassist.org.
- **Dakota Plains Legal Services** is a non-profit legal services organization that provides free legal assistance to low-income individuals, older Americans and veterans. Dakota Plains Legal Services (DPLS) has eight offices and serves communities across South Dakota and North Dakota, including nine tribal nations. DPLS is committed to increasing access to justice with quality legal assistance. Contact information is available on the DPLS webpage of dpls.org.
- **The State Bar Association** provides a lawyer referral service to match paying clients in need of legal services with lawyers. The phone number is (866) 450-9579 and the website is sband.org.
- **For a list of all lawyers who are licensed to practice in North Dakota**, go to the North Dakota Supreme Court website at ndcourts.gov/Lawyers.

Limited Legal Representation

Lawyers licensed to practice in North Dakota may provide Limited Legal Representation in civil cases. Limited Legal Representation (sometimes called “unbundling”) is a way that a lawyer can help you with part of your case while you do the rest of your case. You pay for the part of the case the lawyer handled.

Limited legal representation examples:

- You may want a lawyer to give you an expert opinion about your options, or your legal rights and responsibilities;
- You can consult with a lawyer to prepare or review your paperwork, but attend hearings yourself;
- You can represent yourself through the whole case, and periodically consult with a lawyer who can coach you on the law, procedures and strategy;
- You can do the preparation yourself and hire a lawyer just to make the court appearance for you.

You and the lawyer must agree in writing to Limited Legal Representation.

North Dakota Free Legal Answers

This civil legal program is a partnership of the American Bar Association and the State Bar Association of North Dakota.

The purpose of the program is to provide free answers to **specific** civil legal question to low-moderate income North Dakotans who submit their questions online. Anonymous volunteer attorneys answer your question, but can't represent you.

Go to nd.freelegalanswers.org for information about the program, the online application, and, if you qualify, ask your civil legal question.

Please note that this program **doesn't** provide any assistance with criminal legal questions.

STATE OF NORTH DAKOTA
COUNTY OF [REDACTED]

[REDACTED]
IN DISTRICT COURT
[REDACTED] JUDICIAL DISTRICT

[REDACTED]
[REDACTED]
Plaintiff,

vs.

[REDACTED]
[REDACTED],
Defendant.

PETITION FOR REGISTRATION OF
FOREIGN JUDGMENT

File No.: _____

[¶1] Comes now the plaintiff and respectfully represents to the Court as follows:

[¶2] 1. On May 5, [REDACTED], plaintiff obtained a judgment against the above named defendant in the District Court of [REDACTED] County, Minnesota, file number [REDACTED], said judgment being in the amount of \$3,391.52 plus interest at 0% per annum.

[¶3] 2. A duly authenticated copy of said judgment is attached hereto marked Exhibit "A" and made a part hereof by reference.

[¶4] 3. This action is brought pursuant to the Uniform Enforcement of Foreign Judgments Act.

[¶5] WHEREFORE, plaintiff prays that said judgment be registered in the DISTRICT Court of [REDACTED] County, NORTH DAKOTA.

Dated: March 15, [REDACTED]

[REDACTED]
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