

- SUBJECT:** Changing the filing requirements for foreign judgments of other states
- COMMITTEE:** Civil Practices — favorable, without amendment
- VOTE:** 7 ayes — B. Cook, Strama, Madden, Miller, Raymond, Talton, Woolley
0 nays
2 absent — P. King, Martinez Fischer
- WITNESSES:** For — Jay Harvey, Texas Trial Lawyers Association
Against — None
- BACKGROUND:** Under current law, the filing requirements are stricter for legal judgments issued in other countries than for legal judgments issued in other U.S. states.
- Civil Practice and Remedies Code, sec. 35.003 governs the filing of “foreign” judgments — i.e., judgments issued in other U.S. states. It specifies that a copy of a foreign judgment may be filed in the office of the clerk of any court of competent jurisdiction in Texas. Once filed, the foreign judgment has the same effect as a judgment of the court in which it is filed.
- Civil Practice and Remedies Code, sec. 36.0041. governs the filing of judgments issued in other countries. It specifies that a *foreign country* judgment authenticated in accordance with an act of Congress, a Texas statute, or a treaty or other international convention to which the United States is a party may be filed in the office of the clerk of a court in the county of residence of the party against whom recognition is sought or in any other court of competent jurisdiction as allowed under the Texas venue laws.
- DIGEST:** HB 3063 would amend Civil Practice Code, sec. 35.003(a) to allow a copy of a foreign judgment to be filed in the office of the clerk of a court in the county of residence of the party against whom recognition is sought or in any other court or competent jurisdiction as allowed under the Texas venue laws.

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The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.