

INSTRUCTIONS ON FILING FOREIGN JUDGMENT in compliance with Hawai'i Revised Statute 636C
- Uniform Enforcement of Foreign Judgments Act.

1. JURISDICTIONAL LIMIT for filing with the District Court of the First Circuit, State of Hawai'i is \$20,000.00.
2. FILING FEE is \$30.00, payable to the District Court of the First Circuit.

A FOREIGN JUDGMENT filing consists of the following:

1. AFFIDAVIT setting forth the name and address of the judgment debtor(s) and judgment creditor(s).
2. EXEMPLIFIED JUDGMENT which you must obtain from the court that issued the judgment.
3. NOTICE to the judgment debtor(s) regarding the filing of the judgment with the District Court of the First Circuit, State of Hawai'i.

****NOTE:** The cost of a sample on how one must prepare for filing a foreign judgment with the District Court of the First Circuit, State of Hawai'i is \$2.00. If you also wish a copy of Hawai'i Revised Statute Chapter 636C which sets forth the procedures and/or directives to follow there is an addition charge of \$1.00.

It is incumbent upon a requesting party to follow applicable rules and/or statutes in requesting relief from the Court.

1. Use 8 1/2 X 11 inch paper.
2. Type all documents using large (PICA) type.
3. Prepare one (1) ORIGINAL and one (1) copy for the court, one (1) copy for yourself and one (1) copy per defendant.
4. Use DOUBLE spacing.
5. Sign in Ink.
6. Include a self addressed stamped envelope with all request.

As a pro se filing party, perhaps it would be in your best interest to familiarize yourself with the various statutes and rules that pertain to the particulars of your case as the clerical staff is not empowered to assist you in this area. If you are having a difficult time in this area, YOU SHOULD CONSULT WITH SOMEONE WHO IS LEGALLY TRAINED TO ASSIST YOU.

If you have any questions or are in need of further assistance, you may contact this office at the above address or call at (808) 538-5151.

enclosures SEE REVERSE FOR MAP

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"CHAPTER 636C"
UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT

636C-1 Short title. This chapter may be cited as the Uniform Enforcement of Foreign Judgments Act. {L 1983, c 31, pt of 1}

636C-2 Definition. In this chapter "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 this State. {L 1983, c 31, pt of 1}

636-3 Filing and status of foreign judgment. A copy of any exemplified foreign judgment may be filed in the office of the clerk of the appropriate court of this State. The clerk shall treat the foreign judgment in the same manner as a judgment of a court of this State. A judgment so filed has the same effect and is subject to the same procedures, defenses, and proceedings for reopening, vacating, or staying as a judgment of a court of the State, including establishing a lien, and may be enforced or satisfied in like manner. {L 1983, c 31, pt of 1; am L 1990, c203, 6}

636C-4 Notice of Filing. (a) At the time of the filing of the foreign judgment, the judgment creditor or the judgment creditor's lawyer shall make and file with the clerk of court an affidavit setting forth the name and last known post office address of the judgment debtor and the judgment creditor.

(b) Promptly upon the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and post office address of the judgment creditor and the judgment creditor's Lawyer, if any, in this State. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the clerk. The failure by the clerk to mail notice of filing shall not affect the enforcement proceedings if proof of mailing by judgment creditor has been filed. {L 1983, c 31, pt of 1}

636C-5 Stay. (a) If the judgment debtor shows the court that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered.

(b) If the judgment debtors shows the court any ground upon which enforcement of a judgment of any court of this State would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this State. {L 1983, c31, pt of 1}

636C-6 Fees. Any person filing a foreign judgment shall pay \$30 to the clerk of the court. Fees for docketing, transcription, or other enforcement proceedings shall be as provided by law for judgments of the court of this State. {L 1983, c 31, pt of 1}

636-7 Optional procedures. The right of a judgment creditor to bring an action to enforce a judgment instead of proceeding under this chapter remains unimpaired. {L 1983, c31, pt of 1}

636C-8 Uniformity of interpretation. This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it. {L 1983, c 31, pt of 1}

Type: Your Name
Address
Telephone Number

In the District Court of the First Circuit

(Refer to Map) Division

State of Hawai'i

)	
)	CIVIL NO.
Plaintiff(s))	
)	
vs)	
)	
)	
Defendant(s))	
_____)	

AFFIDAVIT

(Your name or name of person making the affidavit), being duly sworn on oath, deposes and says:

** (complete this portion by setting forth the name and last known post office address of the judgment debtor(s) and the judgment creditor(s) and any other information you deemed necessary.)**

(Sign in the presence of a notary public)

Affiant

Subscribed and sworn to before me

this __ day of _____, 19__.

(Notary Public's signature and seal here)

Notary Public

My Commission expires: _____

In accordance with the **Americans with Disabilities Act** if you require an accommodation for your disability, please contact the District Court Administration Office at PHONE NO. 538-5121, FAX 538-5233, or TTY 539-4853 at least ten (10) working days in advance of your hearing or appointment date. For Civil related matters, please call 538-5151.