

Overview – Registering a Foreign Judgment

General Information:

If you have obtained a money judgment against someone who lives in New Hampshire you may “register” that judgment in a New Hampshire court and seek enforcement of it in the courts of New Hampshire. This is because judgments from other states are entitled to “full faith and credit” here in New Hampshire much the same way that a judgment from a New Hampshire court would be enforceable in another state.

The judgment must be within the jurisdiction of the Circuit Court. The Circuit Court’s jurisdiction is \$25,000 therefore to be filed in the Circuit Court the judgment must be for no more than \$25,000. If the judgment amount exceeds \$25,000 it should be registered (filed) in the Superior Court for the County in which the other party resides.

Where do you file? You would register your judgment in the court where the other party lives or owns property.

In addition to the electronic program you will go through, the court will require an “authenticated” copy of the judgment from the other state. A photocopy will not suffice. Simply let the Clerk’s office in the other state know that you are registering your judgment and that you require an authenticated copy to do so and they should provide you with what you need. You must also have the other party’s last known post office address so that the court here in New Hampshire can provide notice to the other party that the judgment is being registered here.

The e-filing program will ask you a series of questions. Answer these accurately by typing in the information that matches your situation. Your answers will determine which forms will be available for you at the end of the program, including an important form that is called an Appearance. As you go through the program, take advantage of the Questions and Answers on the right hand side of most of the screens. These are helpful bits of information that have been put into this program to assist you.

After answering the questions in the program, open the link to the Registration of Foreign Judgment form and complete the form. There is also a Cover Letter available for you to use when you mail in your authenticated copy of your judgment from the other state.

Once you have filed your judgment from the other state here in New Hampshire, the Clerk’s office will mail a notice to the other party advising them of the registration. You may send the other party a notice of your filing, but you are not required to do so. You may not take any further action for 15 days; however after 15 days has passed and assuming that the other party has not filed something which would cause the court to “stay” or postpone enforcement of your foreign judgment, you may proceed with all remedies available to you here in New Hampshire for the collection of a money judgment. The judgment from the other state will be treated as if it were obtained here.

What could cause the court here in New Hampshire to “stay” or postpone your collection efforts? If the other party (referred to as the judgment debtor) shows that an appeal of the judgment from the other state is pending or will be taken OR that a stay of execution has been granted in the other state, the court here in New Hampshire will not allow you to take further action here until that has been resolved. In addition, if the other party shows the court here that there is a ground upon which a judgment here would be stayed, then you will not be able to take further action until that issue is resolved here. For example, if the other party challenges the notice received in the other state and indicates a desire to challenge the judgment, this could be a basis upon which a New Hampshire court would stay collection. You do not have to re-litigate your case here in New Hampshire however. The court here will recognize the factual findings of the out of state court and will not hear the facts of the case again.

Things to remember:

The amount of the judgment must be within the Circuit Court's jurisdiction (\$25,000 or less).

The other party must live or own property here.

You may not take any further action to collect your judgment for 15 days after filing so that the court may provide the other party with notice.

You will not be able to seek collection of your judgment if there is a basis to "stay" or postpone collection in the other state. This could mean an appeal or order from the court in the other state staying execution. In addition, you cannot seek to collect your judgment if the other party shows that there is a ground to stay execution here in New Hampshire.

For Further Information:

If you have questions, please contact the Information Center at 1-855-212-1234.