

What does it mean to domesticate a foreign judgment?

Foreign means from another jurisdiction, usually another state. In order to register or enforce a foreign decree in Georgia, the decree must be domesticated. Different procedures are necessary depending on the reasons you need your Order domesticated.

An Order must be domesticated when the obligee (person paying support) relocates to another state and you want to enforce your right to regular support payments as provided in your original Order. For example, you were divorced in Alabama, and the Alabama decree orders your spouse to pay \$400 per month child support. You and your ex-spouse have moved separately to Georgia, and your ex stopped making payments. The Alabama divorce decree must be domesticated before the Georgia Courts will recognize and enforce your Alabama Order.

Where should I go for help?

It is wise to obtain the assistance of an attorney who is familiar with family law issues when you need to domesticate a foreign judgment. If the paperwork you file is not appropriate and/or not complete, it may have a negative effect on your rights.

Where can I find more information?

Georgia has adopted the Uniform Enforcement of Foreign Judgment Act (O.C.G.A. § 9-12-130 *et. seq.*), the Uniform Interstate Family Support Act (O.C.G.A. § 19-11-100 *et. seq.*), and the Uniform Child Custody Jurisdiction and Enforcement Act (O.C.G.A. § 19-9-40 *et. seq.*). These laws may affect your foreign judgment. You may read the Georgia Code online at:

<http://w3.lexis-nexis.com/hottopics/gacode/Default.asp?loggedIn=done>

Other laws may apply as well.

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Plaintiff,)
v.)
_____) Civil Action File No. _____
Defendant)
)
)
)

COMPLAINT TO DOMESTICATE FOREIGN JUDGMENT

Now comes the Plaintiff and states his/ her claim against the Defendant as follows:

1.

The Defendant is a resident of this county and may be served personally with a copy of the complaint and summons at _____.

2.

On _____, 20__, the _____ Court of _____ County, in the State of _____, issued a final judgment and decree of divorce, a duly authenticated copy of which is attached to this complaint as Exhibit A. The judgment provided in pertinent part as follows: _____

_____.

3.

Defendant's noncompliance with order (Choose a or b)

a) The Defendant has wilfully refused and continues to refuse to abide by the terms of the foreign judgment. The terms which Defendant disobeys are as follows:

b) The Defendant has wilfully refused to pay alimony and child support as required by the terms of the foreign judgment, although he is financially able to do so.

4.

Because of the Defendant's wilful failure to obey the judgment complained of, he/
 she should be attached for contempt by this Court with appropriate sanctions and required to pay Plaintiff's attorney's fees and/or expenses of litigation.

5.

The relief sought by Plaintiff is available under the laws of the State of _____, where the judgment was rendered, and the State of _____ would enforce a similar judgment of this State by action for contempt.

THEREFORE, Plaintiff demands:

(a) That the foreign judgment annexed hereto as Exhibit A be domesticated and made the judgment of this Court;

(b) That the Defendant be attached for contempt and ordered to comply with the judgment complained of;

(c) That the Defendant be required to pay the Plaintiff's reasonable attorney's fees and expenses of litigation; and

(d) That a Rule Nisi issue requiring the Defendant to appear and show cause why the Plaintiff should not be granted the relief requested.

Respectfully submitted,

Plaintiff *pro se*

Address: _____

Telephone number: _____

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
v.
_____,
Defendant
)
)
)
)
)
) Civil Action File No. _____
)
)
)
)
)

AFFIDAVIT TO DOMESTICATE FOREIGN JUDGMENT

COMES NOW the Plaintiff, acting *pro se*, and shows this Court pursuant to O.C.G.A. § 9-12-133 that the name and last known address of the parties is as follows:

The Plaintiff attaches hereto a properly authenticated copy of the judgment which it previously obtained against the Defendant in the State of _____ and requests that the Clerk will mail notice of this to the Defendant at the address shown.

Plaintiff accordingly requests that upon proper mailing that this judgment be domesticated herein and be made the judgment of this Court.

This the _____ day of _____, 20____.

Plaintiff *pro se*
Address: _____
Telephone Number: _____

Sworn to and Subscribed before me this ____ day of _____, 20____.

Notary Public

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

_____,
Plaintiff,
v.
_____,
Defendant
)
)
)
)
)
) Civil Action File No. _____
)
)
)
)
)

RULE NISI

The within and foregoing Complaint having been read and considered, the same is allowed and ordered filed.

Let the Defendant be served with a copy of this Complaint and Order thereon and let the Defendant show cause before the Honorable Judge _____, at ____ o'clock _____ on the _____ day of _____ 20____, then and there to be heard, why the prayers of the Plaintiff's Complaint should not be granted.

This _____ day of _____, 20____.

Judge, _____ County Superior Court

**IN THE SUPERIOR COURT OF _____ COUNTY
STATE OF GEORGIA**

(1) _____,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
(2) _____,)	
)	
Defendant.)	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing **Complaint to Domesticate a Foreign Judgment** upon the following counsel for party OR party (if no counsel of record) by delivering [or causing to be delivered] by hand a copy of same as follows:

[Name and address of counsel of record, or of parties if no counsel of record.]

This _____ day of _____, 20____.

Plaintiff *pro se*

Address _____

Telephone Number _____

IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

_____,)
Plaintiff,)
v.)
_____) Civil Action File No. _____
Defendant)
)
)
)

ORDER TO DOMESTICATE FOREIGN JUDGMENT

It appearing to the Court that the Plaintiff herein, acting *pro se*, has properly complied with the provisions of the Uniform Enforcement of Judgments Law and has specifically complied with the requirements of O.C.G.A. § 9-12-133, it is therefore

ORDERED AND ADJUDGED that the properly authenticated judgment of the State of _____ filed herein now be made the judgment of this Court and that the Plaintiff now have judgment of the Defendant in the amount of \$_____ principal, \$_____ attorney's fees, and all costs of this proceeding.

This the _____ day of _____, 20____.

Judge, _____ County _____ Court

Agreed to and consented to by:

Plaintiff *pro se*