

No. 451

AN ACT

HB 1111

Providing for the filing of certain foreign judgments; establishing procedure and the rights and obligations of creditors and debtors and repealing inconsistent laws.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Definition.—As used in this act “foreign judgment” means any judgment, decree, or order of a court of the United States or of any other court requiring the payment of money which is entitled to full faith and credit in this State.

Section 2. Filing and Status of Foreign Judgments.—A copy of any foreign judgment including the docket entries incidental thereto authenticated in accordance with the act of Congress or the statutes of this State may be filed in the office of the prothonotary of any court of common pleas of this State. The prothonotary shall treat the foreign judgment in the same manner as a judgment of any court of common pleas in this State. A judgment so filed shall be a lien as of the date of filing and shall have the same effect and be subject to the same procedures, defenses and proceedings for reopening, vacating, or staying as a judgment of any court of common pleas of this State and may be enforced or satisfied in like manner.

Section 3. Notice of Filing.—(a) At the time of the filing of the foreign judgment, the judgment creditor or his attorney shall make and file with the prothonotary an affidavit setting forth the name and last known post office address of the judgment debtor, and the judgment creditor. In addition, such affidavit shall include a statement that the foreign judgment is valid, enforceable and unsatisfied.

(b) Promptly upon the filing of the foreign judgment and the affidavit, the prothonotary shall mail notice of 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 attorney, 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 prothonotary. Lack of mailing notice of filing by the prothonotary shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

Section 4. Stay.—(a) If the judgment debtor shows the court of com-

mon pleas 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 debtor shows the court of common pleas any ground upon which enforcement of a judgment of any court of common pleas 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.

Section 5. Fees.—Fees for filing, docketing, transcription or other enforcement proceedings shall be as provided in the applicable Prothonotaries Fee Bill.

Section 6. Optional Procedure.—The right of a judgment creditor to bring an action to enforce his judgment instead of proceeding under this act remains unimpaired.

Section 7. Uniformity of Interpretation.—This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Section 8. Short Title.—This act shall be known as and may be cited as the “Uniform Enforcement of Foreign Judgments Act.”

Section 9. Repeal.—All acts and parts of acts are repealed in so far as they are inconsistent herewith.

Section 10. Effective Date.—This act shall take effect immediately.

APPROVED—The 22d day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 452

AN ACT

HB 1166

Amending the act of March 10, 1949 (P. L. 30), entitled “An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,” further providing for the cost of tuition of children who are socially or emotionally disturbed who are pupils in approved day schools.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: