



Registering a Foreign Judgment

A Research Guide for a North Dakota State Civil Court Process

The North Dakota Legal Self Help Center provides resources to people who represent themselves in civil matters in the North Dakota courts.

The information provided in this research guide isn't a complete statement of the law. This information is intended as a starting point for your research into registering a foreign judgment in a North Dakota state district court. The information provided in this research guide **isn't** intended for legal advice and **can't** replace the advice of a lawyer licensed to practice law in North Dakota.

The self-represented individual must make all decisions about how to proceed.

References to non-ND Legal Self Help Center resources are included for your convenience only. Including these references does not mean the ND Legal Self Help Center endorses, warrants, or accepts responsibility for the content or uses of the resource. **Use at your own risk.**

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Overview of Registering a Foreign Judgment

An authenticated copy of a judgment, decree or order of any other United States state or federal court may be filed in a North Dakota state district court.

A foreign judgment accepted for registration in a North Dakota state district court is treated the same as a judgment issued by a North Dakota state district court.

For example, the registered foreign judgment may be enforced, collected or satisfied using the same processes available for judgments issued by North Dakota state district courts. (*See the [Judgment Collection for the Winning Party](#) informational guide.*)

Caution! Additional or different requirements may apply, depending on the type of foreign judgment. This research guide **only** includes information for foreign judgments registered under [North Dakota Century Code Chapter 28-20.1](#).

Legal Research for Registering a Foreign Judgment

North Dakota Statutes Related to Registering a Foreign Judgment:

(North Dakota statutes are found in the [North Dakota Century Code \(NDCC\)](#). The North Dakota Century Code contains the laws enacted by the North Dakota Legislature and signed by the Governor.)

[Chapter 28-20](#): Judgments.

[Chapter 28-20.1](#): Enforcement of Foreign Judgments.

- In Chapter 28-20.1, "foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court entitled to full faith and credit in North Dakota.

[Chapter 28-21](#): Execution of the Judgment.

[Chapter 28-22](#): Exemptions.

Other North Dakota Statutes Related to Foreign Judgments:

This research guide **only** includes information for foreign judgments registered under North Dakota Century Code Chapter 28-20.1.

Depending on the type of foreign judgment, North Dakota law may have different or additional requirements. **Review the law(s) related to the topic of your foreign judgment to decide if different or additional requirements apply.**

The following are other North Dakota Century Code Chapters related to foreign judgments:
(*this isn't an all-inclusive list*)

[Chapter 14-12.2](#): Uniform Interstate Family Support Act.

- See [Section 14-12.2-35](#) for registering a foreign support order.

[Chapter 14-14.1](#): Uniform Child Custody Jurisdiction and Enforcement Act.

- For information about the registration and enforcement of out-of-state court or tribal court child custody determinations, go to ndcourts.gov/legal-self-help/foreign-custody-and-visitation.

Chapter 28-20.3: Uniform Foreign Money Judgments Recognition Act.

- Judgments of a governmental unit other than the United States or any state, district, commonwealth, territory, or insular possession of the United States.

Chapter 28-35: Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.

- See [Section 28-35-17](#) and [Section 28-35-18](#) for registering a guardianship or conservatorship order of another state.

North Dakota Court Rules Related to Registering a Foreign Judgment:

([Court rules](#) govern how a dispute makes its way to court and how the dispute is conducted. All of the court rules are found online.)

- [North Dakota Rules of Civil Procedure](#)

North Dakota Case Law Related to Registering a Foreign Judgment:

(When the decision of a case is appealed from a North Dakota state district court to the North Dakota Supreme Court, the Supreme Court writes their opinion to explain how and why they interpreted the laws or rules to decide the appeal the way they did. The opinions are case law and are followed by North Dakota courts deciding later cases with similar facts and issues.)

You may research case law related to registering a foreign judgment using the print version of the North Dakota Century Code. Short case law summaries are located directly after the text of the Century Code Section. To view the full text of the opinion, go to ndcourts.gov, click on “Supreme Court Opinions” and enter the case name.

You may also research case law by topic at ndcourts.gov. Click on “Supreme Court Opinions” and use the “Topic” dropdown to narrow your search.

Laws constantly change through legislation, court rules, administrative rules and rulings, and court decisions.

To determine how a law applies to your situation, review the applicable law or laws, administrative rulings and court decisions.

Only a lawyer licensed to practice in North Dakota who has agreed to represent you can give you legal advice. Legal advice includes interpreting how the laws and rules apply to your situation.

Library Resources *(not all legal resources are available online):*

ODIN is a shared library database of many North Dakota academic, public, state agency, and special libraries. Search ODIN for resources that may be available in a North Dakota library near you. (polaris.odinlibrary.org)

If the book is available for interlibrary loan through ODIN, ask the librarian or library staff of your local North Dakota library how to request the book.

Following are library resources that may be of interest to you:

North Dakota Century Code Annotated, Lexis Nexis, Creation Date c1959 – present.

North Dakota Court Rules Annotated, Lexis Nexis, Creation Date c1990

Other Legal Research Resources

[How to Research a Legal Problem: A Guide for Non-Lawyers](#), American Association of Law Libraries. (aallnet.org)

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Process for Registering a Foreign Judgment

Documents Required for Registering a Foreign Judgment:

When registering a judgment under [Chapter 28-20.1](#), the following documents are required:

- An Affidavit of Identification of the Judgment Debtor; and
- An authenticated copy of the foreign judgment.

Document You May be Asked to Provide:

- A Petition or Application to register a foreign judgment.

File the Documents with the Clerk of Court:

The documents are filed with the clerk of court of the North Dakota county where you register your foreign judgment. If the clerk of court accepts your documents for filing, the clerk assigns a case number.

If the clerk of court accepts your documents for filing, you must pay a **\$20.00 filing fee**.

Contact information for clerks of court by county is available at ndcourts.gov/court-locations.

Forms and instructions for requesting the court waive the \$20.00 filing fee are available at ndcourts.gov/legal-self-help/fee-waiver.

Notice of Filing:

When the Petition, Affidavit of Identification and copy of the foreign judgment are accepted for filing, the clerk of court mails notice to the Judgment Debtor that the foreign judgment was filed. The clerk of court mails the Notice of Filing to the address of the Judgment Debtor listed in the Affidavit of Identification.

The clerk of court may require you to mail the Notice of Filing to the Judgment Debtor. If you mail the Notice of Filing of the foreign judgment to the Judgment Debtor, you **must file** the original, completed Notice of Filing and a Declaration of Service By Mail, or an Affidavit of Service by Mail with the clerk of court.

After the Foreign Judgment is Registered:

After a foreign judgment is registered in a North Dakota state district court, you have the same judgment collection options as a judgment granted by a North Dakota state court.

An informational guide with basic information about various processes to collect a judgment is available at ndcourts.gov/legal-self-help. Scroll to the “Miscellaneous” section.

Forms for Registering a Foreign Judgment

[Affidavit of Identification form.](#)

[Notice of Filing form.](#)

Petition or Application to Register a Foreign Judgment.

- The ND Legal Self Help Center **doesn't** have a form for a **Petition or Application to register a foreign judgment**. If you're asked to provide a Petition or Application to register a foreign judgment, you create your own legal document.
- Although the ND Legal Self Help Center doesn't have a form for a Petition or Application to register a foreign judgment, a variety of [General-Use forms](#) are available as a starting point for creating your own legal documents.
- An example of a Petition for Registration of Foreign Judgment that was filed in a North Dakota district court case is included at the end of this research guide. You may find this of interest as a general formatting example.

(Including the formatting example doesn't mean the ND Legal Self Help Center endorses, warrants, or accepts responsibility for the content or uses of the example. Use at your own risk.)

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Lawyer Resources & Limited Legal Representation

You aren't required to hire a lawyer to access the state court system. If you decide to represent yourself, you must follow all of the rules, laws and procedures a lawyer is required to follow.

Lawyer Resources

For information about finding a lawyer to represent you, go to ndcourts.gov/legal-self-help/finding-a-lawyer.

- **Legal Services of North Dakota is a non-profit organization**, providing free legal assistance to North Dakota residents in a variety of matters based on income. Legal Services of North Dakota can also determine whether an applicant meets the income requirements for the Volunteer Lawyers program that offers low-cost legal assistance based on income. The phone number is (800) 634-5263 and the website is lsnd.org.
- **Dakota Plains Legal Services** is a non-profit legal services organization that provides free legal assistance to low-income individuals, older Americans and veterans. Dakota Plains Legal Services (DPLS) has eight offices and serves communities across South Dakota and North Dakota, including nine tribal nations. DPLS is committed to increasing access to justice with quality legal assistance. Contact information is available on the DPLS webpage of dpls.org.
- **The State Bar Association** provides a lawyer referral service to match paying clients in need of legal services with lawyers. The phone number is (866) 450-9579 and the website is sband.org.
- **For a list of all lawyers licensed to practice in North Dakota**, go to the North Dakota Supreme Court website at ndcourts.gov/Lawyers.

Limited Legal Representation

Lawyers licensed to practice in North Dakota may provide Limited Legal Representation in civil cases. Limited Legal Representation (sometimes called “unbundling”) is a way a lawyer can help you with part of your case while you do the rest of your case. You pay for the part of the case the lawyer handled.

For example:

- You may want a lawyer to give you an expert opinion about your options, or your legal rights and responsibilities;
- You can consult with a lawyer to prepare or review your paperwork, but attend hearings yourself;

- You can represent yourself through the whole case, and periodically consult with a lawyer who can coach you on the law, procedures and strategy;
- You can do the preparation yourself and hire a lawyer just to make the court appearance for you.

You and the lawyer must agree in writing to Limited Legal Representation.

North Dakota Free Legal Answers

This civil legal program is a partnership of the American Bar Association and the State Bar Association of North Dakota.

The purpose of the program is to provide free answers to **specific** civil legal question to low-moderate income North Dakotans who submit their questions online. Anonymous volunteer attorneys answer your question, but can't represent you.

Go to nd.freelegalanswers.org for information about the program, the online application, and, if you qualify, ask your civil legal question.

Please note that this program **doesn't** provide any assistance with criminal legal questions.

STATE OF NORTH DAKOTA
COUNTY OF [REDACTED]

[REDACTED]
IN DISTRICT COURT
JUDICIAL DISTRICT

[REDACTED]
[REDACTED]
Plaintiff,

vs.

[REDACTED]
[REDACTED]
Defendant.

PETITION FOR REGISTRATION OF
FOREIGN JUDGMENT

File No.: _____

[¶1] Comes now the plaintiff and respectfully represents to the Court as follows:

[¶2] 1. On May 5, [REDACTED], plaintiff obtained a judgment against the above named defendant in the District Court of [REDACTED] County, Minnesota, file number [REDACTED], said judgment being in the amount of \$3,391.52 plus interest at 0% per annum.

[¶3] 2. A duly authenticated copy of said judgment is attached hereto marked Exhibit "A" and made a part hereof by reference.

[¶4] 3. This action is brought pursuant to the Uniform Enforcement of Foreign Judgments Act.

[¶5] WHEREFORE, plaintiff prays that said judgment be registered in the DISTRICT Court of [REDACTED] County, NORTH DAKOTA.

Dated: March 15, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] LAW FIRM
Attorneys for Plaintiff

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