

PROCEDURES FOR FOREIGN JUDGMENT FILINGS

State Court of Fulton County

Checklist for filing a Petition for Uniform Enforcement of Foreign Judgment:

- [] The filing fee is \$242.50 for one Defendant and for each additional Defendant, \$8.00 should be added. The court does not accept personal checks. Money orders, cashier's checks, certified checks and business checks are accepted. Do not mail cash.
- [] A General Civil Case Filing Information Form (Non-Domestic). This form can be found on the Court's website.
- [] A completed Notice of Filing of Foreign Judgment. This form can be found on the Court's website.
- [] An affidavit of the judgment creditor or his or her attorney setting forth the name and last known post office address of the judgment debtor and the judgment creditor. The affidavit must also include a statement that the foreign judgment is valid and enforceable, and the extent to which it has been satisfied. The court does not provide a form affidavit.
- [] An exemplified judgment with original signatures on the certificate. An exemplified judgment is a copy of the judgment to which a certificate has been attached and signed in three places, once by the judge and twice by the clerk, attesting to the authenticity and validity of the judgment. It is frequently called a judgment that has been authenticated pursuant to an Act of Congress.

Filing Tips:

- For each Defendant (Judgment Debtor) in the foreign judgment action, the Clerk will need an additional copy of the documents listed in the above checklist to be used to mail notice to each Defendant.
- If the Plaintiff (Judgment Creditor) is requesting a file stamped copy of the Notice of Filing of Foreign Judgment to be mailed back along with the assigned civil action number, the Plaintiff should include an additional Notice of Filing of Foreign Judgment for that purpose, in addition to a self-addressed stamped envelope.

What to Expect after Filing:

- The Clerk will collect and receipt the civil action filing fee, assign a civil action number, and establish a new case file.
- The Clerk will sign and mail the Notice of Filing of Foreign Judgment and Certificate of Mailing Notice to the Judgment Debtor, and if a self-addressed stamped envelope was included with the Petition, the same will also be mailed to the Judgment Creditor.
- If no Answer is received by Defendant (Judgment Debtor) within thirty (30) days after mailing notification of the Petition, the foreign judgment shall be domesticated and the Clerk will issue, date, and sign a Fieri Facias based on the judgment amount in the original judgment, and forward it to the Clerk of Fulton County Superior Court to be recorded in the General Execution Docket. After recording, the Clerk of Fulton County Superior Court will mail the original Fieri Facias to the Plaintiff or Plaintiff's attorney.
- If the Defendant (Judgment Debtor) files an Answer, the Clerk will enter the Answer into the civil case management system and place the case on a ready list for the judge to set for a hearing. If, after a hearing, a Stay of Execution of the foreign judgment is denied and the Plaintiff requests execution, the Clerk shall issue, date, and sign a Fieri Facias.

State of Georgia
County of Fulton

NOTICE OF FILING OF FOREIGN JUDGMENT

State Court of Fulton County
Civil Action Number:

STATE COURT OF FULTON COUNTY

Plaintiff's/Judgment Creditor's Name & Address

() _____
Plaintiff's Attorney's Name, Address & Phone Number

VS.

Defendant's/Judgment Debtor's Name & Address

To _____ Judgment Debtor

You are hereby notified that on ____/____/____, a judgment against you in the amount of \$ _____ originally entered in the _____ Court in the State of _____ has been entered in the records of this Court pursuant to the Uniform Enforcement of Foreign Judgment Act, O.C.G.A. 9-12-130, et seq. This official notice is being given to you of this filing according to said Act.

Date Foreign Judgment filed in the State Court of Fulton County, Georgia: ____/____/____

Clerk/Deputy Clerk, State Court of Fulton County

CERTIFICATE OF MAILING

I certify that on _____ (date), I mailed a true and correct copy of the **Notice of Filing of Foreign Judgment and the Judgment Creditor's Affidavit in Support of Foreign Judgment**, by placing it in the United States Mail, postage pre-paid to the Judgment Debtor(s) listed above.

Clerk/Deputy Clerk, State Court of Fulton County

General Civil Case Filing Information Form (Non-Domestic)

Court County Date Filed
☐ Superior MM-DD-YYYY
☐ State Docket #

Plaintiff(s)

Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden

No. of Plaintiffs

Plaintiff/Petitioner's Attorney Pro Se

Last First Middle I. Suffix

Bar #

Defendant(s)

Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden
Last First Middle I. Suffix Prefix Maiden

No. of Defendants

Check Primary Type (Check only ONE)

- ☐ Contract/Account
- ☐ Wills/Estate
- ☐ Real Property
- ☐ Dispossession/Distress
- ☐ Personal Property
- ☐ Equity
- ☐ Habeas Corpus
- ☐ Appeals, Reviews
- ☐ Post Judgment Garnishment, Attachment, or Other Relief
- ☐ Non-Domestic Contempt
- ☐ Tort (If tort, fill in right column)
- ☐ Other General Civil Specify

If Tort is Case Type:
(Check no more than TWO)

- ☐ Auto Accident
- ☐ Premises Liability
- ☐ Medical Malpractice
- ☐ Other Professional Negligence
- ☐ Product Liability
- ☐ Other Specify

Are Punitive Damages Pleaded? Yes No

General Civil Case Final Disposition Form (Non-Domestic)

Court

☐ Superior

☐ State

County _____

Date Disposed _____

MM-DD-YYYY

Docket # _____

Reporting Party _____

Last

First

Middle I. Suffix Prefix

Maiden

Title

Name of Plaintiff/Petitioner(s)

Name of Defendant/Respondent(s)

Last

First

Middle I. Suffix Prefix

Maiden

Last

First

Middle I. Suffix Prefix

Maiden

Plaintiff/Petitioner's Attorney ☐ Pro Se

Defendant/Respondent's Attorney ☐ Pro Se

Last

First

Middle I. Suffix

Last

First

Middle I. Suffix

Bar # _____

Bar # _____

Type of Disposition (Check all that apply)

1. ☐ Pre-Trial Dismissal (Specify which type)
 - A. ☐ Involuntary
 - B. ☐ Voluntary (without prejudice)
 - C. ☐ Voluntary (with prejudice)
2. ☐ Pre-Trial Settlement
3. ☐ Default Judgment
4. ☐ Summary Judgment
5. ☐ Transferred/Consolidated
6. ☐ Bench Trial
7. ☐ Jury Trial (specify outcome further)
 - A. ☐ Dismissal after jury selected
 - B. ☐ Settlement during trial
 - C. ☐ Judgment on Verdict
 - D. ☐ Directed Verdict or JNOV

1. Judgment on Verdict. Was the verdict:

- A. ☐ For Plaintiff(s) [all]
- B. ☐ For Defendant(s) [all]
- C. ☐ Other: (Explain)

AWARD

1. If verdict for Plaintiff, how much was awarded?

\$		Compensatory
\$		Punitive

2. If verdict on cross or counter claims, how much was awarded?

\$		Compensatory
\$		Punitive

3. Did the court modify the award?

☐ Yes ☐ No

4. Were attorneys fees awarded?

☐ Yes ☐ No

ADR

1. Was ADR utilized?

☐ Yes ☐ No

2. If yes, was it (check if applicable)

- ☐ court annexed?
☐ court mandated?

3. Did the matter settle after trial for other than judgment? (If known at the time of this submission)

☐ Yes ☐ No