

THE FLORIDA SENATE
2018 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 623 — Out-of-Country Foreign Money Judgments

by Rep. Byrd and others (SB 760 by Senator Bean)

This bill amends Florida’s Uniform Out-Of-Country Foreign Money-Judgment Recognition Act in ch. 55 F.S., to add two permissive grounds under which Florida courts may decline to recognize and enforce money judgments rendered by tribunals of foreign countries. The two additional permissive grounds permit a Florida court to decline to recognize and enforce a foreign judgment if:

- There is “substantial doubt” about the “integrity” of the particular foreign court that rendered the judgment; or
- There was a lack of due process afforded by the particular foreign court that rendered the judgment.

The Act currently provides a similar mandatory ground for nonrecognition if a foreign country’s court system is systematically unfair and fails to provide an impartial court system or compatible due process of law. The key difference between the current mandatory provision of the Act and the new permissive grounds is that the Act currently addresses only “systematic unfairness” in a foreign country’s court system; whereas, the two additional grounds address “specific unfairness” in a proceeding in a particular foreign court.

These provisions became law upon approval by the Governor on March 19, 2018.

Vote: Senate 36-0; House 107-0