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United States

ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

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This country-specific Q&A provides an overview of enforcement of judgments in civil and commercial matters laws and regulations applicable in United States.

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UNITED STATES
ENFORCEMENT OF JUDGMENTS IN CIVIL AND COMMERCIAL MATTERS

1. What international conventions, treaties or other arrangements apply to the enforcement of foreign judgments in your jurisdiction and in what circumstances do they apply?

The United States has not ratified any convention or treaty that governs the recognition or enforcement of foreign judgments in US courts. There is also no federal law in the United States that governs this particular issue. Thus, the recognition and enforcement of foreign judgments in the United States is a matter of individual state law – either statutory or common law.

While this guide does not address foreign arbitration awards, it is worth noting the United States is a party to multilateral conventions that bear on the enforcement of such awards: the UN Convention on the Recognition and Enforcement of Foreign Arbitral Awards 1958 (New York Convention) and the Inter-American Convention on International Commercial Arbitration 1979 (Panama Convention). Because the United States is a party to these conventions, foreign arbitration awards issued pursuant to them face an easier path to recognition and enforcement in US courts than foreign judgments.

The United States is also party to the multilateral Convention on the Settlement of Investment Disputes Between States and Nationals of Other States 1965 (ICSID Convention). Arbitral awards falling under the ICSID Convention are to be treated by parties as though they were enforcing domestic court awards.

2. What, if any, reservations has your jurisdiction made to such treaties?

Not applicable for foreign judgments.

3. Can foreign judgments be enforced in your jurisdiction where there is not a convention or treaty or other arrangement, e.g. under the general law?

Yes, recognition and enforcement of foreign judgments in the United States is governed by individual state statutes or, where this is no statute, by state common law. There is no federal statute governing the recognition or enforcement of foreign judgments on a nationwide level. See Restatement (Third) of the Foreign Relations Law § 481 (1987) ("[I]t has been accepted that in the absence of a federal statute or treaty or some other basis for federal jurisdiction, such as admiralty, recognition and enforcement of foreign country judgments is a matter of State law, and an action to enforce a foreign country judgment is not an action arising under the laws of the United States.").

Given this state-by-state approach, there have been efforts throughout the years to bring clarity and uniformity to US foreign judgment recognition laws. The 1962 Uniform Foreign Money-Judgments Recognition Act (the 1962 Model Act) sought to generally codify the principles set forth in *Hilton v Guyot*, 159 US 113 (1895), a seminal US court case in this area of law. The 1962 Model Act was drafted in significant part to help address a concern that foreign courts were refusing to recognise US judgments due to serious inconsistencies in US recognition law. The 1962 Model Act was eventually adopted in substantial part by 31 states, the District of Columbia, and the US Virgin Islands.

The 1962 Model Act was updated in 2005 and renamed the Uniform Foreign-Country Money Judgments Recognition Act (the 2005 Model Act). This updated version (which includes some key modifications) has since been adopted by 29 states and the District of Columbia. Most recently, in 2022 and 2021, legislators in Maine, Rhode Island, New York, and Nebraska adopted and enacted the 2005 Model Act.

Therefore, some US states follow a version of the 1962 Model Act, some follow a version of the 2005 Model Act, and some continue to address foreign judgment recognition issues through common law principles reflected in case law. A US map showing the current state of affairs for the recognition and enforcement law governing each US state can be found here.

4. What basic criteria does a foreign judgment have to satisfy before it can be enforced in your jurisdiction? Is it limited to money judgments or does it extend to other forms of relief?

Subject to certain requirements, US courts are willing to entertain the recognition and enforcement of foreign **civil** judgments for a sum of money, excluding foreign judgments for fines, penalties, or taxes. Additionally, the United States generally adheres to the rule that the courts of one nation will not enforce the penal laws of another nation. See *Huntington v Attrill*, 146 US 657, 673-674 (1892).

The question of whether a statute of a particular nation is a penal law depends on whether the statute's legislative purpose is to redress and punish an offence against the public justice of the state, or whether it is intended to afford a private remedy to a person injured by the wrongful act. See *Plata v Darbun* Enterprises, Inc, 2014 WL 341667, *5 (Cal App 2014).

Additionally, in order for a US court to entertain the recognition of a foreign civil judgment for a sum of money, the foreign judgment must be final, conclusive, and enforceable. See section 3(a)(2) of the 2005 Model Act and section 3 of the 1962 Model Act. 'Conclusive' means the judgment is given effect between the parties as a determination of their legal rights and obligations. 'Enforceable' in this particular context means that the foreign judgment can presently be enforced in the country where it was rendered.

The 'finality' requirement is not usually interpreted by US courts to mean that the foreign judgment is no longer subject to any appeals in the foreign jurisdiction. However, if a foreign judgment is still subject to appeal in the issuing forum, most US courts will formally stay a related US recognition action until the resolution of the foreign appeal. See PJSC Credit-*Moscow Bank v Khairoulline*, 2016 WL 4454208 (ED Pa 24 August 2016).

5. What is the procedure for enforcement of foreign judgments pursuant to such conventions, treaties or arrangements in your jurisdiction?

Not applicable.

6. If applicable, what is the procedure for enforcement of foreign judgments under the general law in your jurisdiction?

As noted previously, the recognition and enforcement of foreign judgments in the United States is addressed on a state-by-state basis, although the law in almost all of the US states – whether statutory or common law – can be traced back to the principles set forth in the US Supreme Court case *Hilton v Guyot*, 159 US 113 (1895).

A foreign judgment that is final, conclusive, and enforceable in the country where rendered can be submitted by the judgment creditor to a US state or federal court for recognition, usually under the forum state's recognition statute. That foreign judgment can then be recognized by the US court so long as it meets the requirement of the local law, unless the judgment debtor successfully establishes one of the grounds for non-recognition of a foreign judgment. States that have not enacted a statute will proceed with their own common law principles and apply their own recognition requirements and permissible defences.

Importantly, despite sharing origins in the Hilton case, state law approaches to the recognition of foreign judgments sometimes display significant differences, including the way the state law addresses reciprocity with the foreign jurisdiction as a prerequisite to recognition of the judgment, and the way it analyses some of the particular grounds for non-recognition of a foreign judgment (defences against recognition).

7. What, if any, formal requirements do the courts of your jurisdiction impose upon foreign judgments before they can be enforced? For example, must the judgment be apostilled?

Most US states require the party seeking recognition and enforcement of a foreign judgment to file an action in a court that has an adequate basis to exercise jurisdiction over the alleged judgment debtor. Recognition actions may be brought in a state court or a federal court, depending on procedural and venue rules. However, a federal court sitting in diversity jurisdiction (a type of subject-matter jurisdiction) will generally apply the substantive law of the state in which it sits, based on principles emerging from Erie RR Co v Tompkins, 304 US

64 (1938). Federal common law principles may be applied in specialised cases.

Additional formal **procedural** requirements for a foreign judgment recognition proceeding vary between states, but states, for example, typically include a requirement that a foreign judgment issued in a foreign language be accompanied by a certified English translation.

Importantly, in addition to certain procedural requirements, US states also require certain mandatory characteristics of the foreign judgments sought to be recognized in the United States. Specifically, in states that follow the 1962 and 2005 Model Acts, a foreign judgment **cannot** be recognized and enforced in the United States if certain factors (related to lack of impartiality, due process, and jurisdiction) are true. For further information, see section 4(a) of the 1962 Model Act and section 4(b) of the 2005 Model Act.

US states that have not adopted one of the model acts are governed by common law principles, which also tend to provide for certain mandatory non-recognition grounds similar to those noted above (and described below). There are additional grounds for denying recognition to a judgment, which are discussed below.

8. How long does it usually take to enforce or register a foreign judgment in your jurisdiction? Is there a summary procedure available?

It is important to note that, in US courts, **recognition** and **enforcement** are separate processes. Notably, a foreign judgment cannot be enforced in the United States until the judgment is ***recognised*** by a US court. As previously noted, the 1962 and 2005 Model Acts deal with the ***recognition*** of foreign judgments. See *Electrolines, Inc v Prudential Assurance Co*, 677 NW 2d 874, 882 (Mich Ct App 2003). Once a judgment has been recognised by a US court and is no longer subject to appellate review, the judgment creditor can commence the enforcement process.

The timing of an initial ***recognition*** process for a foreign judgment will vary state-by-state, and will also depend on many case-specific factors – the nature of the foreign judgment, the reputation of the issuing country, the forum court for the recognition action, the availability and strength of any non-recognition grounds (defences), the use of expert witnesses, the existence of a US appeal of the recognition decision, etc. Additionally, depending on the nature of the case and the foreign judgment, courts in the United States have discretion to grant additional time for parties to conduct discovery or to schedule hearings or even a trial.

Some US states do make available certain types of summary, expedited proceedings for the attempted recognition of a foreign judgment. For example, New York permits expedited summary proceedings ('motion for summary judgment in lieu of complaint') for certain basic foreign judgments that clearly meet on their face all of the NY statutory requirements. 'If the motion is denied, the moving and answering papers shall be deemed the complaint and answer, respectively, unless the court orders otherwise.' NY CPLR § 3213. Importantly, New York's expedited procedure is 'intended to provide a speedy and effective means of securing a judgment on claims **presumptively meritorious** . . . [and where] a formal complaint is superfluous' and the ordinary procedure is needless. *Interman Indus. Products, Ltd. v. R.S.M. Electron Power, Inc.*, 37 N.Y.2d 151, 154 (1975) (emphasis added).

Additionally, no matter the type of procedural mechanism or procedural posture, all US states, including New York, provide for both mandatory and discretionary grounds for non-recognition of a foreign judgment. Thus, even in recognition cases proceeding in an 'expedited' manner, the judgment debtor will have an opportunity to avail itself of important defences to push back against the recognition of the foreign judgment.

9. Is it possible to obtain interim relief (e.g. an injunction to restrain disposal of assets) while the enforcement or registration procedure takes place?

This issue is also dealt with on a state-by-state basis in the United States. Some US states allow a judgment creditor to seek interim relief when the recognition action commences and while the action is pending. For example, if they can satisfy certain stringent standards, a judgment creditor can obtain an attachment of the judgment debtor's in-state assets. However, this type of 'pre-judgment' attachment is seen as a drastic remedy by US courts.

In such cases, states usually require, among other things, that the judgment creditor show a probability that it will succeed on the merits of the recognition action and that a statutory ground for the attachment of the judgment debtor's assets exists. In addition, the judgment creditor usually has to show an identifiable necessity for the requested attachment of assets, such as a risk that the judgment debtor will not be able to satisfy the judgment.

10. What is the limitation period for enforcing a foreign judgment in your jurisdiction?

The 2005 Model Act expressly provides that '[a]n action to recognize a foreign-country judgment must be commenced within the earlier of the time during which the foreign-country judgment is effective in the foreign country or 15 years from the date that the foreign-country judgment became effective in the foreign country'.

However, as with other issues, the statute of limitations for seeking to recognize a foreign judgment varies according to state law in jurisdictions that have not adopted the 2005 Model Act. The 1962 Model Act, unlike the 2005 Model Act, does not directly address the question of a statute of limitations and leaves this issue to state law.

11. On what grounds can the enforcement of foreign judgments be challenged in your jurisdiction?

Depending on the US state in which the recognition action is filed, judgment debtors may avail themselves of specific defences recognised by common law or enumerated in the 1962 or 2005 Model Acts, or both.

In states that follow the 1962 and 2005 Model Acts, a foreign judgment **cannot** be recognized in the United States if any of the following is true (these are known as the '**mandatory**' grounds for non-recognition):

- the judgment was rendered under a judicial system that does not provide impartial tribunals;
- the judgment was rendered under a judicial system that does not provide procedures compatible with the requirements of due process of law;
- the foreign court did not have personal jurisdiction over the defendant; or
- the foreign court did not have jurisdiction over the subject matter.

Additionally, states that follow the 1962 and 2005 Model Acts also provide for several additional '**discretionary**' grounds for non-recognition:

- the defendant in the proceeding in the foreign court did not receive notice of the proceeding in sufficient time to enable the defendant to defend;
- the judgment was obtained by fraud that deprived the losing party of an adequate opportunity to present its case;
- the judgment or the cause of action [claim for relief] on which the judgment is based is repugnant to the public policy of the state or of the United States;
- the judgment conflicts with another final and conclusive judgment;
- the proceeding in the foreign court was contrary to an agreement between the parties under which the dispute in question was to be determined otherwise than by proceedings in that foreign court; or
- in the case of jurisdiction based only on personal service, the foreign court was a seriously inconvenient forum for the trial of the action.

States following the 2005 Model Act recognise **two** additional **discretionary** defences that are not available in states following the 1962 Model Act:

- the judgment was rendered in circumstances that raise substantial doubt about the integrity of the rendering court with respect to the judgment; or
- the specific proceeding in the foreign court leading to the judgment was not compatible with the requirements of due process of law.

States that do not follow either model act usually have mandatory and discretionary grounds for non-recognition that are similar in nature to those listed above.

Moreover, US courts – even those that follow the model acts – will also consider and apply defences grounded in US common law principles, particularly if a foreign judgment runs contrary to US constitutional norms. See *Osorio v Dole Food Co*, 665 F Supp 2d 1307, 1352 (SD Fla 2009), aff'd sub nom *Osorio v Dow Chem Co*, 635 F3d 1277 (Eleventh Circuit, 2011) (court refused to recognise the foreign judgment on multiple independent grounds, including lack of impartial tribunals, lack of due process, and various conflicts with US and state public policies). See also William E Thomson and Perlette Michèle Jura, US Chamber Institute for Legal Reform, *Confronting the New Breed of Transnational Litigation: Abusive Foreign Judgments* (2011), available at www.instituteforlegalreform.com/resource/confronting-the-new-breed-of-transnational-litigation-abusive-foreign-judgments.

Additionally, as noted above, the United States will not recognize and enforce judgments for fines, penalties, or taxes. Also, US courts will not enforce the penal laws of another nation. See *Huntington v Attrill*, 146 US 657, 673-674 (1892). The question of whether a statute of a

particular nation is a penal law depends on the statute's legislative purpose. See *Plata v Darbun Enterprises, Inc*, 2014 WL 341667, *5 (Cal App 2014).

12. Will the courts in your jurisdiction reconsider the merits of the judgment to be enforced?

US courts, like many courts worldwide, will strive to avoid relitigating the merits of a foreign case in the context of a foreign judgment recognition action. However, as the Supreme Court cautioned in Hilton v Guyot, that goal must be balanced with the need to protect US citizens and their rights in the administration of justice. See Hilton, 159 US at 163-64:

'"Comity," in the legal sense, is neither a matter of absolute obligation, on the one hand, nor of mere courtesy and good will, upon the other. But it is the recognition which one nation allows within its territory to the legislative, executive or judicial acts of another nation, having due regard both to international duty and convenience, and to the rights of its own citizens, or of other persons who are under the protection of its laws.'

See also Laker Airways Ltd v Sabena, Belgian World Airlines, 731 F 2d 909, 937 & n 104 (DC Circuit, 1984) ('authorities have recognized that the obligation of comity expires when the strong public policies of the forum are vitiated by the foreign act').

As noted above, the 2005 Model Act also expressly provides that a judgment can be denied recognition where (1) the judgment was rendered in circumstances that raise substantial doubt about the integrity of the rendering court with respect to the judgment; or (2) the specific proceeding in the foreign court leading to the judgment was not compatible with the requirements of due process of law. Both of these case-specific defences require a close analysis of the underlying proceedings that can often overlap with merits issues.

13. Will the courts in your jurisdiction examine whether the foreign court had jurisdiction over the defendant? If so, what criteria will they apply to this?

Yes, US courts will consider both personal and subject matter jurisdiction. A judgment debtor in a US foreign judgment recognition action may seek to defeat recognition on the basis that the foreign tribunal lacked personal jurisdiction over the party. A foreign judgment is not conclusive in a US court if the foreign forum court did not have **personal jurisdiction** over the defendant. See *Bank of Montreal v Kough*, 430 F Supp 1243, 1246-47 (ND Cal 1977); *CIBC Mellon Trust Co. v. Mora Hotel Corp*., 296 A.D.2d 81, 96 (N.Y. App. Div. 2002), aff'd, 100 N.Y.2d 215 (Ct. App. 2003).

Given the fundamental nature of this issue, many US courts analyse **both** whether the foreign court properly exercised person jurisdiction under its own laws and whether it properly exercised personal jurisdiction as understood using US due process principles. See *EOS Transport, Inc v Agri-Source Fuels LLC*, 37 So 3d 349, 352-53 (Fla Ct App 2010) (holding that 'in assessing whether the exercise of personal jurisdiction is proper under the [1962 Model] Act, the trial court must determine whether the exercise is proper under both the law of the foreign jurisdiction and under US Constitutional Due Process requirements'); and *Nippon Emo-Trans Co v Emo-Trans, Inc*, 744 F Supp 1215 (EDNY 1990) (finding that New York law does not require that a foreign court's determination of a jurisdictional challenge be given preclusive effect; if the foreign or US standards for personal jurisdiction are not satisfied, the judgment will not be recognised in a US court).

Additionally, there are US decisions that make clear a foreign judgment will not be recognized if the issuing court's exercise of jurisdiction does not satisfy US personal jurisdiction standards (e.g., sufficient minimum contacts of defendant with the foreign forum), even if the issuing court's standards for exercising jurisdiction were satisfied. See *Koster v Automark Industries, Inc*, 640 F.2d 77 (7th Cir 1981) (appellate court reversed trial court's recognition of foreign judgment on personal jurisdiction grounds because defendant did not have the minimum contacts necessary to show that it purposefully utilized the privilege to conduct business activities in the Netherlands to confer personal jurisdiction); *EOS Transport*, 37 So 3d 349 (holding that Canadian judgment could not be recognized because Canadian court lacked personal jurisdiction, since defendant did not have sufficient minimum contacts with Canada to satisfy US due process requirements).

That said, there are certain ways in which the defence of lack of personal jurisdiction can be waived, and that is specifically enumerated in the model acts. See, for example, the 2005 Model Act, section 5 (noting that a defence of lack of personal jurisdiction is waived if, among other things, the defendant was personally served in the foreign country, the defendant had agreed to submit to the jurisdiction of the foreign court, the defendant was domiciled in the foreign country at the time the lawsuit was commenced, etc).

A judgment debtor may also seek to defeat the recognition of a foreign judgment on the basis that the

foreign court lacked **subject-matter jurisdiction** over the action. Both model acts provide for this defence. See 1962 Model Act § 4 (a)(3); 2005 Model Act § 4(b)(3); see also *Osorio*, 665 F Supp 2d at 1326 (holding that defendants invoked their opt-out rights under local law, thereby divesting the foreign trial court of jurisdiction and preventing recognition of the foreign judgment under Florida law). It is also possible to argue under common law rules that the foreign court did not have the power to render the decision in the case. See *Hilton*, 159 US at 166-67 and section 482, comment c of the Restatement (Third) of Foreign Relations (1987) ('A court in the United States need not recognize a judgment of the court of a foreign state if . . . the court that rendered the judgment did not have jurisdiction of the subject matter of the action.').

14. Do the courts in your jurisdiction impose any requirements on the way in which the defendant was served with the proceedings? Can foreign judgments in default be enforced?

In general, the guiding principle in determining whether a litigant in the foreign action had notice of the proceedings so as to allow the recognition of the foreign judgment is whether a reasonable method of notification was employed and a reasonable opportunity to be heard was afforded to the affected litigant. See *Somportex Limited v Philadelphia Chewing Gum Corp*, 453 F 2d 435, 443 (Third Circuit, 1971); *Batbrothers LLC v. Paushok*, 172 A.D.3d 529 (N.Y. App. Div. 2019) ('Defendant's voluntary participation in multiple rounds of appeals in the Russian courts, in which he raised arguments about personal jurisdiction and the merits of the bona fides of the judgments, is fatal to his argument that he did not receive adequate notice or due process in Russia'); and *Gardner v Letcher*, 2014 WL 3611587, *1 (D Nev 2014):

'Here it is undisputed that no summons was served and that the "Summary of the Document to be Served" form was not completely filled out. There is also no evidence that service was accomplished by other means that would have satisfied the Hague Convention. Therefore, service under the Hague Convention was void and the Swiss court did not have personal jurisdiction over Defendant.'

See also section 4(b) of the 1962 Model Act and section 4(c) of the 2005 Model Act – a foreign judgment need not be recognised if 'the defendant in the proceedings in the foreign court did not receive notice of the proceedings in sufficient time to enable him to defend.'

15. Do the courts in your jurisdiction have a discretion over whether or not to recognise foreign judgments?

As noted previously, US courts have the option to analyse and apply various discretionary non-recognition grounds in deciding the possible recognition of a foreign judgment.

16. Are there any types of foreign judgment which cannot be enforced in your jurisdiction? For example can foreign judgments for punitive or multiple damages be enforced?

As noted previously, subject to certain requirements, US courts will not recognise and enforce foreign judgments for **fines, penalties, or taxes**. Additionally, US courts cannot recognise and enforce judgments that contravene the **mandatory grounds for non-recognition**, as established under state statutory or common law by the judgment debtor.

17. Can enforcement procedures be started in your jurisdiction if there is a pending appeal in the foreign jurisdiction?

A final, conclusive, and enforceable judgment is the usual starting point for recognition by a US court. However, unlike in some countries, US courts usually do not interpret this 'finality' requirement to mean that the foreign judgment is no longer subject to any appeals in the foreign jurisdiction. But, in practice, if a foreign judgment is still subject to appeal in the issuing forum, the US recognition action will typically be stayed pending resolution of the appeal. See *PJSC Credit-Moscow Bank v Khairoulline*, 2016 WL 4454208 (ED Pa 24 August 2016).

18. Can you appeal a decision recognising or enforcing a foreign judgment in your jurisdiction?

Yes. Parties have the right to appeal a US court decision regarding the recognition and enforcement of a foreign judgment.

19. Can interest be claimed on the judgment sum in your jurisdiction? If so on what basis and at what rate?

Interest in this particular context is a matter of state law.

For example, in California, under state law principles, 'a foreign-country money judgment entered in this state bears post-judgment interest at the California rate of 10% from the date of the judgment recognizing the foreign judgment.' *Hyundai Securities Co*, Ltd, 232 Cal App 4th 1379, 1392 (2015).

20. Do the courts of your jurisdiction require a foreign judgment to be converted into local currency for the purposes of enforcement?

Conversion-related rules in the context of foreign judgments are also governed by state law, and the conversion analysis will depend on the particular US state. US courts apply varying standards to determine the date of conversion, which will affect the exchange rate between US dollars and the foreign currency in which the judgment was rendered.

The 'breach-day' rule fixes the exchange rate at the date the foreign judgment was rendered. The 'judgment-day' rule applies the date of the US judgment. Recently, other approaches have been adopted or encouraged, such as the 'payment-day' rule (fixing at the date the judgment is satisfied) and the Restatement's less rigid standard that permits courts to award payment in whichever way will best make 'whole' the prevailing party (see section 423 of the Restatement (Third) of Foreign Relations Law (1987)).

21. Can the costs of enforcement (e.g. court costs, as well as the parties' costs of instructing lawyers and other professionals) be recovered from the judgment debtor in your jurisdiction?

This is an issue of state law and will depend on the US forum in which the recognition action is proceeding. Typically, attorneys' fees are not recoverable in a recognition action.

22. Are third parties allowed to fund enforcement action in your jurisdiction? If so, are there any restrictions on this and can third party funders be made liable for the costs incurred by the other side?

Such arrangements do exist, and third parties, for the most part, are allowed to fund a recognition action in US courts. However, the contours of the specific rules governing and/or limiting such arrangements in this recognition context is an issue of state law and will depend on the US court forum in which the recognition action is proceeding.

23. What do you think will be the most significant developments in the enforcement process in your jurisdiction in the next 5 years?

Given the United States' state-by-state approach for assessing the recognition of foreign judgments, it is important to note that the strong trend has been for US states to move toward the 2005 Model Act as the basis for their recognition laws. More than half of all US states have adopted the 2005 Model Act.

In practice, the trend toward the broad adoption of the 2005 Model Act means that judgment debtors are afforded additional defences in US courts that relate to the **specific underlying proceeding** and/or the **specific court** from which the judgment issued. These case-specific defences permit a US court to delve more deeply into how the case was litigated and managed in the foreign forum by the specific court/judge. This is a significant change in the analysis. Under the older model act, the analysis was limited to an examination of the country's legal system **as a whole**. The expanded, case-specific discretion under the 2005 Model Act is particularly important when a US court is confronted with recognition defences that involve allegations of partiality, fraud, lack of due process, etc.

In the past, the tendency had been for judgment creditors to feel confident that the US recognition process would involve a relatively quick and limited review of the foreign judgment and the foreign legal system (as a whole). There simply were not many instances where a US court would feel comfortable condemning an entire country's legal system. However, the analysis dramatically changed with the 2005 Model Act. We expect US courts will continue engaging in a more comprehensive analysis of the mandatory and discretionary grounds for non-recognition and will increasingly factor in their concern for the rights of US citizens, even in cases where the judgment creditor opts for a summary process.

24. Has your country ratified the Hague Choice of Courts Convention 2005? If not, do you expect it to in the foreseeable future?

The United States has not ratified this convention, and there is no indication it will do so in the near future.

25. Has your country ratified the Hague Judgments Convention 2019? If not, do you expect it to in the foreseeable future?	The United States has not ratified this convention, and there is no indication it will do so in the near future.

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