

FULL FAITH AND CREDIT.

REVISOR'S NOTE: This section presently appears as Art. 35, §53C. The only changes made are the references to sections.

SEC. 10-704. GROUNDS FOR NON-RECOGNITION.

(A) A FOREIGN JUDGMENT IS NOT CONCLUSIVE IF:

(1) THE JUDGMENT WAS RENDERED UNDER A SYSTEM WHICH DOES NOT PROVIDE IMPARTIAL TRIBUNALS OR PROCEDURES COMPATIBLE WITH THE REQUIREMENTS OF DUE PROCESS OF LAW;

(2) THE FOREIGN COURT DID NOT HAVE PERSONAL JURISDICTION OVER THE DEFENDANT;

(3) THE FOREIGN COURT DID NOT HAVE JURISDICTION OVER THE SUBJECT MATTER; OR

(4) THE JUDGMENT WAS OBTAINED BY FRAUD.

(B) A FOREIGN JUDGMENT NEED NOT BE RECOGNIZED IF:

(1) THE DEFENDANT IN THE PROCEEDINGS IN THE FOREIGN COURT DID NOT RECEIVE NOTICE OF THE PROCEEDINGS IN SUFFICIENT TIME TO ENABLE HIM TO DEFEND;

(2) THE CAUSE OF ACTION ON WHICH THE JUDGMENT IS BASED IS REPUGNANT TO THE PUBLIC POLICY OF THE STATE;

(3) THE JUDGMENT CONFLICTS WITH ANOTHER FINAL AND CONCLUSIVE JUDGMENT;

(4) THE PROCEEDING IN THE FOREIGN COURT WAS CONTRARY TO AN AGREEMENT BETWEEN THE PARTIES UNDER WHICH THE DISPUTE WAS TO BE SETTLED OUT OF COURT; OR

(5) IN THE CASE OF JURISDICTION BASED ONLY ON PERSONAL SERVICE, THE FOREIGN COURT WAS A SERIOUSLY INCONVENIENT FORUM FOR THE TRIAL OF THE ACTION.

REVISOR'S NOTE: This section presently appears as Art. 35, §53D. The only changes made are in style.

SEC. 10-705. PERSONAL JURISDICTION.