

UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT (EXCERPT)
Act 502 of 1996

691.1174 Foreign judgment; filing; affidavit; fee; notice of filing; enforcement.

Sec. 4. (1) At the time of the filing of the foreign judgment, the judgment creditor or his or her attorney shall make and file with the clerk of the court an affidavit setting forth the name and last known address of the judgment debtor and the judgment creditor.

(2) At the time of the filing of the foreign judgment, the judgment creditor shall pay a filing fee as follows:

(a) In the circuit court, a sum equal to the amount required to file a civil action under section 2529 of the revised judicature act of 1961, Act No. 236 of the Public Acts of 1961, being section 600.2529 of the Michigan Compiled Laws.

(b) In the district court, a sum equal to the amount required to file a civil action under section 8371 of Act No. 236 of the Public Acts of 1961, being section 600.8371 of the Michigan Compiled Laws. For the purposes of determining the amount of the filing fee, the amount in controversy shall equal the amount of the foreign judgment.

(c) In a municipal court, a sum equal to the amount required to file a civil action under section 28 of the Michigan uniform municipal court act, Act No. 5 of the Public Acts of 1956, being section 730.528 of the Michigan Compiled Laws. For the purposes of determining the amount of the filing fee, the amount in controversy shall equal the amount of the foreign judgment.

(3) Promptly after the foreign judgment and the affidavit have been filed, the clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address provided by the judgment creditor or his or her attorney. The notice shall include the name and address of the judgment creditor and the judgment creditor's attorney, if any, in this state. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the clerk. The clerk's failure to mail a notice of filing shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

(4) A foreign judgment filed under this act shall not be enforced until 21 days after the date notice of the filing of the foreign judgment is mailed.

History: 1996, Act 502, Eff. June 1, 1997.