

Sec. 11. NEW SECTION. SURVIVOR'S ANNUITY.

1. A survivor of a senior judge or a retired senior judge shall be paid an annuity in lieu of that specified in section six hundred five A point fifteen (605A.15) of the Code, which is equal to one-half the amount of the annuity the senior judge or retired senior judge was receiving at the time of his or her death, provided the survivor is qualified under section six hundred five A point fifteen (605A.15) of the Code to receive an annuity.

2. A survivor of a person whose name is stricken from the roster of senior judges shall be paid an annuity equal to one-half of the amount the person was receiving at the time of his or her death, provided the survivor is qualified under section six hundred five A point fifteen (605A.15) of the Code to receive an annuity.

Sec. 12. Section six hundred five A point ten (605A.10), Code 1979, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, this section does not prohibit the payment of an annuity to a senior judge while serving as provided in section eight (8) of this Act.

Approved March 30, 1979

CHAPTER 138
FOREIGN JUDGMENTS ENFORCED

S. F. 29

AN ACT relating to the enforcement of foreign judgments.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. DEFINITION. As used in this Act unless the context otherwise requires, "foreign judgment" means a judgment, decree, or order of a court of the United States or of any other court which is entitled to full faith and credit in this state.

Sec. 2. NEW SECTION. FILING AND STATUS OF FOREIGN JUDGMENTS. A copy of a foreign judgment authenticated in accordance with an act of Congress or the statutes of this state may be filed in the office of the clerk of the district court of a county of this state which would have venue if the original action was being commenced in this state. The clerk shall treat the foreign judgment in the same manner as a judgment of the district court of this state. A judgment so filed has the same effect and is subject to the same procedures, defenses and proceedings for reopening, vacating, or staying as a judgment of the district court of this state and may be enforced or satisfied in like manner.

Sec. 3. NEW SECTION. NOTICE OF FILING.

1. At the time of the filing of the foreign judgment, the judgment creditor or his or her lawyer shall make and file with the clerk of court an

affidavit setting forth the name and last known post office address of the judgment debtor, and the judgment creditor.

2. Promptly upon the filing of the foreign judgment and the affidavit as provided in subsection one (1) of this section, the clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and post office address of the judgment creditor and the judgment creditor's lawyer, if any, in this state.

3. No execution or other process for enforcement of a foreign judgment filed under this Act shall issue until the expiration of twenty days after the date the judgment is filed.

Sec. 4. NEW SECTION. STAY.

1. If the judgment debtor shows the district court in which the judgment is filed that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered.

2. If the judgment debtor shows the district court in which the judgment is filed that grounds exist upon which enforcement of a judgment of the district court of this state would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this state.

Sec. 5. NEW SECTION. FEES. A person filing a foreign judgment shall pay a filing fee of five dollars to the clerk of court. Fees for docketing, transcription or other enforcement proceedings shall be as provided for judgments of the district court.

Sec. 6. NEW SECTION. OPTIONAL PROCEDURE. The right of a judgment creditor to bring an action to enforce his or her judgment instead of proceeding under this Act remains unimpaired.

Sec. 7. NEW SECTION. UNIFORMITY OF INTERPRETATION. This Act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 8. NEW SECTION. SHORT TITLE. This Act may be cited as the uniform enforcement of foreign judgments Act.

Sec. 9. This Act shall take effect on January first following its enactment.

Approved May 3, 1979