

OFFICE OF THE GENERAL COUNSEL  
Division of Operations-Management

MEMORANDUM OM 91-66

August 12, 1991

TO: All Regional Directors, Officers-in-Charge,  
and Resident Officers

FROM: Joseph E. DeSio, Associate General Counsel

SUBJECT: Registration of Court Judgments

It has come to our attention that the U.S. Code of Civil Procedure, 28 U.S.C. 1963, has recently been amended to provide for the immediate registration of court judgments. This effectively amends Compliance CHM Section 10510.8(d) and 10643.3 (fn. 14). Prior to the amendment, judgments could not be registered until the judgment had become final by appeal or the 90-day time period for the filing of the appeal had expired. This new amendment to 28 U.S.C. 1963 provides that ". . . judgment returned in favor of the United States may be so registered at any time after the judgment is entered."

The registration of judgments can be a useful tool for the collection of backpay because it enables the Regions to place a lien on the respondent's property. This also gives the Agency the status of a secured creditor in those situations where there is a subsequent bankruptcy. I should emphasize that CHM 10643.3 requires that the Regions file liens in all situations where there is a court judgment fixing the specific amount of backpay due and the respondent has not made prompt arrangements for the full satisfaction of its liability.

If you have any questions concerning this matter, please call your Assistant General Counsel.

J. E. D.

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