

CORRECTED COPY
Citation corrected in paragraph 2, line 3

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 97-25

April 4, 1997

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

FROM: Richard A. Siegel, Acting Associate General Counsel

SUBJECT: Amendment to 28 U.S.C. § 1963 -- Registration of Circuit Court
Judgments in the United States District Courts

Congress has enacted legislation amending 28 U.S.C. § 1963, clarifying the right to register money judgments entered by any court of appeal in any district court where such action may be deemed necessary. The text of the referenced provision, as amended, is attached.

By Memorandum dated February 28, 1996 (Memorandum OM 96-19), Regions were advised that in light of the Sixth Circuit's decision in *Fox Painting v. NLRB*, 16 F.3d 115 (1994), 144 LRRM 2457, the Agency would henceforth be precluded from registering judgments of the circuit courts in district courts located within the Sixth Circuit. In light of the amendment to 28 U.S.C. § 1963, that earlier Memorandum is hereby revoked.

As a reminder, please note that, pursuant to an earlier amendment to this section of the code, judgments entered in favor of agencies of the United States may be registered immediately upon entry of the judgment, without the necessity of waiting for expiration of any otherwise applicable appeal period.

Any questions regarding this matter may be addressed to the Contempt Litigation and Compliance Branch, or to the Assistant General Counsel for your District.

R. A. S.

Attachment

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Attachment:

28 U.S.C. § 1963 (as amended) -- Registration of judgments for enforcement in other districts

A judgment in an action for the recovery of money or property entered in any court of appeals, district court, bankruptcy court, or in the Court of International Trade may be registered by filing a certified copy of the judgment in any other district or, with respect to the Court of International Trade, in any judicial district, when the judgment has become final by appeal or expiration of the time for appeal or when ordered by the court that entered the judgment for good cause shown. Such a judgment entered in favor of the United States may be so registered any time after judgment is entered. A judgment so registered shall have the same effect as a judgment of the district court of the district where registered and may be enforced in like manner. A certified copy of the satisfaction of any judgment in whole or in part may be registered in like manner in any district in which the judgment is a lien. The procedure prescribed under this section is in addition to other procedures provided by law for the enforcement of judgments.