

IC 34-39-4

Chapter 4. Records and Proceedings in Foreign Jurisdictions

IC 34-39-4-1

Proceedings and judgment; foreign states; United States territories; District of Columbia

Sec. 1. Copies of the proceedings and judgments of any justice of the peace of any state or territory of the United States or of the District of Columbia:

(1) certified by the hand and seal of:

(A) the justice before whom the proceedings were held or judgments rendered; or

(B) the justice's successor in office, or other justices having legal custody of the proceedings or judgments;

that the copies are true and complete copies of the proceedings or judgments; and

(2) accompanied by the certificate of the clerk or prothonotary of any court of record of the county or district where the justice holds office, certifying under the seal of the court that the justice was duly commissioned and qualified to act as a justice at the time:

(A) the proceedings were held or the judgments rendered; and

(B) the copy was taken;

are admissible as evidence in any court in Indiana.

As added by P.L.1-1998, SEC.35.

IC 34-39-4-2

Common law of foreign courts

Sec. 2. The unwritten or common law of any other of the United States or of the territories of the United States may be proved as facts by parol evidence. The books of reports of cases adjudged in the courts of other states or territories may also be admitted in evidence of the unwritten or common law.

As added by P.L.1-1998, SEC.35.

IC 34-39-4-3

Records and judicial proceedings of foreign courts

Sec. 3. (a) The records and judicial proceedings of the several courts of record of or within the United States or the territories of the United States shall be admitted in Indiana courts as evidence when authenticated by attestation or certificate of the clerk or prothonotary, with the seal of the court annexed, together with the seal of the chief justice or one (1) or more of the judges, or the presiding magistrate of the court, that:

(1) the person who signed the attestation or certificate was, at the time of subscribing it, the clerk or prothonotary of the court; and

(2) the attestation is in due form of law.

(b) Records and judicial proceedings that have been authenticated as described in subsection (a) shall have full faith and credit given to them in any court in Indiana as by law or usage they have in the courts in which they originated.

As added by P.L.1-1998, SEC.35.