

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by section 1511(c)(17) of Pub. L. 99-514 applicable for purposes of determining interest for periods after Dec. 31, 1986, see section 1511(d) of Pub. L. 99-514, set out as a note under section 6621 of Title 26, Internal Revenue Code.

EFFECTIVE DATE OF 1982 AMENDMENTS

Pub. L. 97-258, §2(m), Sept. 13, 1982, 96 Stat. 1062, provided that the amendment made by that section is effective Oct. 1, 1982.

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 of this title.

§ 1962. Lien

Every judgment rendered by a district court within a State shall be a lien on the property located in such State in the same manner, to the same extent and under the same conditions as a judgment of a court of general jurisdiction in such State, and shall cease to be a lien in the same manner and time. This section does not apply to judgments entered in favor of the United States. Whenever the law of any State requires a judgment of a State court to be registered, recorded, docketed or indexed, or any other act to be done, in a particular manner, or in a certain office or county or parish before such lien attaches, such requirements shall apply only if the law of such State authorizes the judgment of a court of the United States to be registered, recorded, docketed, indexed or otherwise conformed to rules and requirements relating to judgments of the courts of the State.

(June 25, 1948, ch. 646, 62 Stat. 958; Pub. L. 101-647, title XXXVI, §3627, Nov. 29, 1990, 104 Stat. 4965.)

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §§812 and 814 (R.S. §967; Aug. 1, 1888, ch. 729, §1, 25 Stat. 357; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Aug. 17, 1912, ch. 300, 37 Stat. 311).

Section consolidates sections 812 and 814 of title 28, U.S.C., 1940 ed., with changes in phraseology necessary to effect consolidation and to clarify the meaning of such sections.

Omitted words "or decree" after "judgments" as unnecessary inasmuch as Rule 54(a) of the Federal Rules of Civil Procedure by definition of judgment includes a decree.

Words "in the State of Louisiana" after "or parish" were omitted as unnecessary.

A reference to section 813 of title 28, U.S.C., 1940 ed., was omitted, since such section is omitted from this revision as covered by Rule 79(c) of the Federal Rules of Civil Procedure.

AMENDMENTS

1990—Pub. L. 101-647 inserted after first sentence "This section does not apply to judgments entered in favor of the United States."

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-647 effective 180 days after Nov. 29, 1990, see section 3631 of Pub. L. 101-647, set out as an Effective Date note under section 3001 of this title.

§ 1963. 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.

(June 25, 1948, ch. 646, 62 Stat. 958; Aug. 23, 1954, ch. 837, 68 Stat. 772; Pub. L. 85-508, §12(o), July 7, 1958, 72 Stat. 349; Pub. L. 100-702, title X, §1002(a), (b)(1), Nov. 19, 1988, 102 Stat. 4664; Pub. L. 101-647, title XXXVI, §3628, Nov. 29, 1990, 104 Stat. 4965; Pub. L. 104-317, title II, §203(a), Oct. 19, 1996, 110 Stat. 3849.)

HISTORICAL AND REVISION NOTES

This section follows the recommendation of the Supreme Court's Advisory Committee on Federal Rules of Civil Procedure (1937) which included the following rule:

"Rule 77. REGISTRATION OF JUDGMENTS IN OTHER DISTRICT COURTS. A judgment entered in any district court and which has become final through expiration of the time for appeal or by mandate on appeal may be registered in any other district court by filing therein an authenticated copy of the judgment. When so registered the judgment shall have the same effect and like proceedings for its enforcement may be taken thereon in the court in which it is registered as if the judgment had been originally entered by that court. If in the court in which the judgment was originally entered, the judgment has been satisfied in whole or in part or if an order has been made modifying or vacating it or affecting or suspending its operation, the party procuring the registration shall and any other party may file authenticated copies of the satisfaction or order with the court in which the judgment is registered. This rule shall not be construed to limit the effect of the Act of February 20, 1905, c. 592, §20 (33 Stat. 729), as amended, U.S.C., title 15, §100; or the Act of March 4, 1909, c. 320, §§36 and 37 (35 Stat. 1084), U.S.C., title 17, §§36 and 37; or §56 of the Judicial Code, U.S.C., title 28, §117; or to authorize the registration elsewhere of an order or a judgment rendered in a divorce action in the District of Columbia."

Section 2508 of this title provides for the registration of judgments of the Court of Claims in favor of the United States in any district. See, also, section 2413 of this title.

The phrase "for the recovery of money or property" was not in the committee's draft of Rule 77 of Federal Rules of Civil Procedure but was inserted in the revised section to exclude judgments in divorce actions, and any other actions, the registration of which would serve no useful purpose.