

Part 3a
Nonrecognition of Foreign Libel Judgments

78B-5-320 Grounds for nonrecognition of libel judgments.

A judgment obtained in a foreign jurisdiction may be considered nonrecognizable and unenforceable by the courts of this state if:

- (1) the judgment was obtained in a jurisdiction outside the United States;
- (2) the judgment resulted in a libel judgment for damages; and
- (3) the court sitting in this state before which the matter is brought determines that the libel law applied in the foreign court's adjudication process did not provide at least as much protection for freedom of speech and press as would be provided by the United States Constitution and the Utah Constitution.

Enacted by Chapter 117, 2010 General Session

78B-5-321 Foreign libel judgment.

For the purposes of applying Title 78B, Chapter 5, Part 3, Utah Foreign Judgment Act, to this part, the courts of this state may not make the determination in Section 78B-5-320 unless the person attempting to enforce the judgment submits to personal jurisdiction and the person against whom the judgment is being enforced:

- (1) is a resident of this state;
- (2) is a person or entity amenable to the jurisdiction of this state;
- (3) has assets in this state; or
- (4) may be required to take action in this state to comply with the judgment.

Enacted by Chapter 117, 2010 General Session

78B-5-322 Application.

This part applies to all foreign libel judgments filed for enforcement or recognition in this state.

Enacted by Chapter 117, 2010 General Session