

7 FAM 960 SERVICE ON U.S. MILITARY PERSONNEL ABROAD

7 FAM 961 DEPARTMENT OF DEFENSE POLICIES

(TL:CON-61; 8-30-94)

a. *Neither the Department of Defense (DOD) nor the military departments have a uniform policy concerning the service of civil or criminal process on military personnel abroad or at sea. DOD and its components, however, in accordance with applicable policies and procedures, will allow and assist in the service of civil process on their personnel in certain circumstances, to be initially determined by the staff judge advocate of the appropriate DOD component. Significantly different policies and procedures apply to service of criminal process. For guidance on cases concerning civil or criminal service of process on U.S. military personnel, consult with CA/OCS, which will contact DOD for instructions.*

b. Relevant "Status of Forces" agreements in some countries may prohibit local authorities from serving American judicial process on U.S. military installations.

c. Commanders may impose restrictions upon persons entering their installations, limiting the service of process to registered mail or service outside the military installation.

7 FAM 962 ENFORCEMENT OF JUDGMENTS

(TL:CON-61; 8-30-94)

a. At present no treaties exist between the United States and any other country whereby judgments of courts in the United States are enforceable in any foreign country.

b. Some U.S. states have statutes that provide for the reciprocal recognition and enforcement of certain types of foreign court orders, such as those relating to child support. U.S. Government agencies (*including DOD components*) have procedures for garnishing wages of employees who are delinquent in child support payments.

c. *Title 42 U.S.C. 651* provides procedures for enforcement of child support orders through private employers. These procedures also apply to persons employed by U.S. companies abroad.

7 FAM 963 INFORMATION FOR INQUIRERS

(TL:CON-61; 8-30-94)

If an inquiry is received about enforcement of civil judgments, refer the inquirer to these reference materials:

(1) Marjorie M. Whiteman, "Enforcement of Foreign Judgements," in Digest of International Law, Vol. 6, Ch. XIV, Sec. 14, pp. 225-253 (Washington: U.S. Government Printing Office, 1968) *[see Appendix C at the end of this chapter]*;

(2) Section 98, Restatement of Conflict of Laws, Second Restatement (St. Paul, Minn.: American Institute publication, Vol. 1, 1971) *[see Appendix C]*;

(3) General information on recognition of judgments in the Law Digest volume of the Martindale-Hubbell Law Directory *[see Appendix D]*; and

(4) *Department of Defense Directive (DoDD) 5525.9 (32 CFR Part 146.32)*.

7 FAM 964 THROUGH 969 UNASSIGNED