



**ATTACHMENT\***

**Rule 70.1, Application to Transfer Structured Settlement Payment Rights**

Every application for approval of the transfer of structured settlement rights filed pursuant to A.R.S. Sec. 12-2901 et seq. shall include:

(a) A Payee's Declaration in Support of Application, signed under oath by the payee, that sets forth the following information:

- (1) The payee's name, address and age.
- (2) The payee's marital status, and, if married or separated, the name of the payee's spouse.
- (3) The names, ages, and place(s) of residence of the payee's minor children and other dependents, if any.
- (4) The payee's monthly income and sources of income, and, if presently married, the monthly income and sources of income of the payee's spouse.
- (5) Whether the payee is subject to any child support or spousal maintenance orders, and, if so, for each such order:
  - (A) The amount of the obligation, to whom it is payable, and whether there are arrearages, and, if so, the amount; and
  - (B) The jurisdiction and name of the court that entered the order, the case number of the action in which the order was entered, the parties to such action, and the date when the order was entered.
- (6) Whether the payee is subject to any orders in any civil, probate, or criminal case which requires the payee to pay money to any person, and, if so, for each such order:
  - (A) The amount of the obligation, to whom it is payable, and whether there are arrearages, and, if so, the amount; and

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\* Changes or additions in text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.

(B) The jurisdiction and name of the court that entered the order, the case number of the action in which the order was entered, the parties to such action, and the date when the order was entered.

(7) Whether there has been any previous application to any court or responsible administrative authority for approval of a transfer of payment rights under the structured settlement that is the subject of the application, and, if so, for each such application:

(A) The jurisdiction and name of the court or responsible administrative authority that considered the application, the case number of the action in which the application was submitted, the parties to such action, and the date when the application was filed; and

(B) Whether the application was approved or disapproved, the date of the order approving or disapproving the transfer, and, if approved:

(i) The name of the transferee and the payment amount(s) and due dates of the payments involved in the transfer; and

(ii) The amount of money the payee received from the transferee for the transfer, if any, and the manner in which the money was used.

(8) Whether the payee has ever transferred payment rights under the structured settlement without court approval or the approval of a responsible administrative authority, and, if so, for each such transfer:

(A) The name of the transferee and the payment amount(s) and due dates of the payments involved in the transfer; and

(B) The amount of money the payee received from the transferee for the transfer, if any, and the manner in which the money was used.

(9) The payee's reasons for the proposed transfer of payment rights and the payee's plans for using the proceeds from the transfer.

(10) Whether the payee intends to use the proceeds from the proposed transfer to pay debts, and, if so, the amount of each such debt, the name and address of the creditor to whom it is owed, and, if applicable, the rate at which interest is accruing on such debt.

(b) A Transferee's Declaration in Support of Application, signed under oath by the transferee, that states that:

(1) After making reasonable inquiry, the transferee is not aware of any prior transfers of structured settlement rights by the payee other than those disclosed in Payee's Declaration in Support of Application;

(2) The transferee has complied with its obligations under A.R.S. § 12-2901, *et seq.*; and

(3) To the best of the transferee's knowledge after making reasonable inquiry, the proposed transfer would not contravene any applicable law, statute, or the order of any court or other government authority.

