



SERVING LEGAL PROCESS

v. 20200825

What we accept

The Department of Insurance and Financial Institutions **only** accepts service of **legal process**, accompanied by any documents that relate to the service.

Legal process INCLUDES:	Legal process DOES NOT INCLUDE:
<ul style="list-style-type: none"> ○ a summons and complaint ○ a court-ordered preliminary injunction (not a motion for injunction) ○ a subpoena for documents or testimony ○ a writ of execution ○ a writ of garnishment ○ a demand for arbitration ○ a notice required by ER 1.15(f) of the intent to distribute property 	<ul style="list-style-type: none"> ○ an application or request to a court ○ a minute entry ○ an affidavit or entry of default ○ a notice of judgment

The Department of Insurance and Financial Institutions **only** accepts service of **legal process issued in this state**. This means that the documents to be served must be endorsed by the clerk of a court within the State of Arizona or in a federal district court that includes Arizona in its jurisdiction.

The Department of Insurance and Financial Institutions **does not execute waivers of service of process on behalf of others**. You should send a waiver of service of process directly to the defendant in the case (and not to the Department of Insurance and Financial Institutions).

If the State of Arizona (generally), the Arizona Department of Insurance and Financial Institutions, or another Arizona state agency is the defendant whom you wish to serve, you must deliver your copy of the summons and of the pleading to the attorney general. AZ ST RCP Rule 4.1(h).

For whom we accept

The Department of Insurance and Financial Institutions is the agent for accepting service of legal process for:

- **Foreign insurers** [ARS §§ 20-215, 20-221(A) and 20-481.08]
- **Alien insurers** [ARS §§ 20-215, 20-221(A) and 20-481.08]
- **Domestic insurers who have appointed the director as its attorney to receive legal process** [ARS § 20-221(D)]

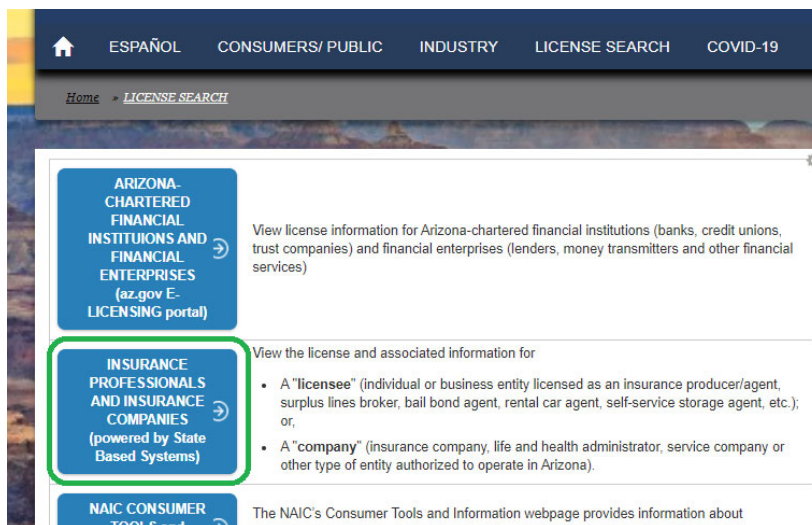
- Domestic reciprocal insurers [ARS §§ 20-221(A) and 20-776(A)]
- Nonresident insurance professionals [ARS § 20-291(A)]
- Unauthorized insurers [ARS §§ 20-401.03, 20-403, 20-419 or 20-261.01(A)(6)(b)]
- Nonresident life settlement providers and brokers [ARS § 20-3202(H)]
- Nonresident insurance intermediaries [ARS § 20-486.01(D)]
- Lloyd’s associations [ARS §§ 20-1024(7) and 20-1030]
- Foreign/alien prepaid dental plan organizations [ARS § 20-1003(A)(11)]
- Foreign/alien health care services organizations (HMO’s) [ARS § 20-1053(A)(10)]
- Certain purchasing groups [ARS § 20-2407(B)]
- Certain captive insurers [ARS § 20-1098.01(E)(3)]
- Certain risk retention groups [ARS § 20-2403(A)(4)]
- Certain insurance support organizations [ARS § 20-2115]

Steps to follow

1. Click the License Search option at the top of our Internet Home page located at <https://difi.az.gov/>.



2. On the LICENSE SEARCH page, click the option for INSURANCE PROFESSIONALS AND INSURANCE COMPANIES.



3. Select “Arizona” as the jurisdiction, and indicate whether you are searching for
 - a “licensee,” which generally means an individual or business-entity insurance professional, or

- a “**company**,” which generally means an insurance company or other risk-bearing entity.

If you are unsure as to whether the person to be served is a licensee or company, try using both searches to locate the entity.

4. Once you find the entity, determine who you need to serve with legal process.
 - a. If the entity is a **company** and its domicile type is either “**foreign**” or “**alien**,” you need to serve:

Arizona Director of Insurance and Financial Institutions
100 NORTH 15TH AVENUE, SUITE 261
PHOENIX, AZ 85007-2624
 - b. If the entity is a **company** and its domicile type is “**domestic**,” you need to scroll down to the “Contact Type” section and find the STATUTORY AGENT contact type, which will display who is designated to accept legal process for the domestic insurer.
 - c. If the entity is a **licensee showing “No” in the “Resident” field**, you need to serve:

Arizona Director of Insurance and Financial Institutions
100 NORTH 15TH AVENUE, SUITE 261
PHOENIX, AZ 85007-2624
 - d. If the entity is a **licensee showing “Yes” in the “Resident” field**, you need to find the statutory agent using the **eCorp** system on the Arizona Corporation Commission web site (www.azcc.gov). The person identified in the “Statutory Agent Information” section of the eCorp record has been designated to accept legal process for the resident licensee.
5. When serving the director of insurance and financial institutions on behalf of another entity, you must provide us two complete sets (ARS § 20-221) and the \$15.00 service of process fee established per ARS § 20-167(A)(11) and (F).
6. You can either pay by credit card (Visa or Mastercard) or by check made payable to “ADFI.”

What we will not accept

Serving documents that the Department is not able to accept does not constitute legal service of process for those documents. If the director is not the statutory agent or the documents are not legal process within the meaning of the law, the Department will not accept the document or will return the documents. For example, we will not accept or may return:

- **Documents that are not legal process**
- **Documents that did not identify the correct legal name of the person or entity to be served** (Please use the search function identified above to determine the correct name.)

- **Documents that are not filed in an Arizona court** (If the matter was filed in a court in another state, you must serve the documents in accordance with that state's laws.)
- **A summons that names any person or entity for which the director is not the statutory agent**
- **Service that does not include two copies**
- **Service that does not include the required fee**

Resources

Arizona Revised Statutes (ARS) are available from the Arizona State Legislature website, at www.azleg.gov.

Arizona State Rules of Civil Procedure (AZ ST RCP), which includes Rules 4, 4.1, 4.2 and 5 concerning legal process, are accessible from the "**Current Arizona Rules**" link on the Arizona Court Rules Forum webpage, <http://www.azcourts.gov/rules>.

Questions? If you have any questions concerning the process service procedures, please contact our Administrative Assistant at (602) 364-3100. Please note that we do not provide legal advice.

This document is not intended to inform the general public of this agency's current approach to, or opinion of, or current practice based upon, the requirements of law or court order. This is not a legal opinion. We do not warrant that this document addresses all service of process situations, laws, rules, policies, procedures or practices.

Persons with disabilities may request materials to be presented in an alternative format by contacting the ADA Coordinator at (602) 771-2785. Requests should be made as early as possible to allow time to procure the materials in an alternative format.