

THE INDUSTRIAL COMMISSION OF ARIZONA



Request and Agreement for Alternative Service and Waiver of A.A.C. R20-5-158(B)

_____(“Party”) (FEIN: _____)
(Party Type: Claimant Attorney Law Firm Carrier/Self Insured Employer)
hereby requests and agrees that the Industrial Commission of Arizona (the “Commission”) may serve any and all notices, correspondence, subpoenas, documents, awards, decisions, orders, or other matters required by the Arizona Workers’ Compensation Act (“Document” or “Documents”) upon Party in the following manner (**PARTY TO SELECT ONLY ONE OPTION**):

Option “1”: United States Mail (Party Declines Alternative Service)

If selected, the Commission will serve Documents on Party via United States Mail (pursuant to Arizona Administrative Code (A.A.C.) R20-5-158(B)(1)) to the following mailing address:

Name: _____
Address: _____
City: _____
State: _____
Zip Code: _____

Option “2”: Alternative Service Via Electronic Facsimile (E-Fax)

If selected, the Commission will transmit Documents to Party via electronic facsimile (E-Fax) to the following fax number: _____

Party agrees that transmission of Documents via E-Fax is legally-proper service and shall be the equivalent of other legally-permissible methods of service (including United States mail or personal service). Party specifically waives the requirement that service of Documents be made pursuant to A.A.C. R20-5-158(B). Party agrees that service made pursuant to Option “2” of this Request and Agreement will be deemed completed at the time the Commission transmits a Document to the fax number provided above. Party understands that the Commission will no longer transmit Documents via other methods of service, including United States Mail, e-mail, or personal service.

Option “3”: Alternative Service Via Secure File Transfer Protocol (SFTP)

If selected, the Commission will transmit Documents to Party by uploading Documents to an SFTP account configured for Party. Party agrees that transmission of Documents via SFTP is legally-proper service and shall be the equivalent of other legally-permissible methods of service (including United States mail or personal service). Party specifically waives the requirement that service of Documents be made pursuant to A.A.C. R20-5-

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158(B). Party agrees that service made pursuant to Option “3” of this Request and Agreement will be deemed completed at the time the Commission successfully uploads a Document to the Party’s SFTP user account. Party understands that the Commission will no longer transmit Documents via other methods of service, including United States Mail, e-mail, or personal service. By selecting Option “3”, Party agrees to comply with all end-user requirements issued by the Commission pertaining SFTP.

(If Option “3” is selected, the Commission will contact Party to configure an SFTP account. The Commission will contact the following Party Technical Representative to discuss end-user requirements and SFTP account configuration:

Representative Name: _____

Representative Phone: _____

Representative Email: _____

NOTHING IN THIS REQUEST AND AGREEMENT AFFECTS THE RIGHT OF PARTY OR THE COMMISSION TO SERVE PROCESS IN ANY MANNER PERMITTED BY APPLICABLE LAW.

IF OPTION “2” OR OPTION “3” ARE SELECTED: NOTHING IN THIS REQUEST AND AGREEMENT AFFECTS THE RIGHT OF PARTY OR THE COMMISSION TO ASSERT LEGAL DEFENSES OR OBJECTIONS EXCEPT FOR SERVICE-RELATED OBJECTIONS/DEFENSES THAT WOULD OTHERWISE BE PERMISSIBLE UNDER A.A.C. R20-5-158(B) OR OTHER APPLICABLE LAW.

NOTHING IN THIS REQUEST AND AGREEMENT AFFECTS THE DUTIES OF PARTY AND THE COMMISSION TO COMPLY WITH SERVICE REQUIREMENTS RELATED TO NON-PARTIES TO THIS AGREEMENT.

This Request and Agreement shall be effective on the date the Commission’s new Claims System becomes operational or the date the Request and Agreement is submitted, whichever is later. This Request and Agreement will remain effective until Party completes and submits an updated Request and Agreement for alternative service (either using this form or electronically in Party’s account in the ICA Community).

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By signing below, I certify that I am an authorized representative of Party. I further certify that I am authorized to sign and submit this Request and Agreement and that all of the representations included in this Request and Agreement are true, accurate, and complete.

_____	_____
Printed Name	Title
_____	_____
E-Mail Address	Phone
_____	_____
Signature	Date

The Commission requests that Parties submit this form on or before May 3, 2019. Parties may submit this form in the following ways:

In-Person or by U.S. Mail:
Industrial Commission of Arizona
c/o MIS, Julie Hill
800 West Washington Street, Suite 103
Phoenix, Arizona 85007

By E-Mail:
Julie.Hill@azica.gov

Questions regarding the completion of this form may be directed to Julie Hill at Julie.Hill@azica.gov.