

CAUSE NO. DC-__-_____

IN RE:

Applicant.

IN THE DISTRICT COURT

68TH JUDICIAL DISTRICT

DALLAS COUNTY, TEXAS

STANDING ORDER FOR DISCLOSURE OF INFORMATION BEFORE HEARING TO APPROVE TRANSFER OF STRUCTURED SETTLEMENT PAYMENTS

On this day, this application for transfer of structured settlement payments came to the attention of the Court. The Court must expressly find that:

(1) the transfer is in the *best interest of the payee, taking into account the welfare and support of the payee's dependents*;

(2) the payee has been advised in writing by the transferee to seek independent professional advice regarding the transfer and has either received the advice or knowingly waived the advice in writing; and

(3) the transfer does not contravene any applicable statute or an order of any court or other governmental authority.

TEX. CIV. PRAC. & REM. CODE ANN. § 141.004 (emphasis added). In order to do so, the Court requires written, filed disclosure as follows.

The Court, therefore, **ORDERS**, Annuitant/Proposed Transferor and Proposed Transferee shall each file under oath written disclosure of the following information under oath on or before five (5) business days before the hearing to approve the transfer:

1) the financial resources and income available to the payee and her dependents other than the structured settlement payments,—*In re Rains*, 473 S.W.3d 461, 464 (Tex. App.—Amarillo 2015, no pet.)—

2) the extent or amount of both the payee's debt and expenses and those of her family and their ability to pay the same,—*id.*—

3) the assets (both real and personal) available to the payee and her family, —*id.*—

4) the future yet reasonably foreseeable liabilities of the payee and her family, —*id.*—

5) the future yet reasonably foreseeable domestic, economic, physical, medical, and educational needs of the payee and her dependents, —*id.*—

6) the payee's current need for and intended use of the lump sum to be received, —*id.*—

7) the number of dependents maintained by the payee and their age, and—*id.*—

8) the percentage of payments being assigned. —*id.*—

9) how many payments have previously been transferred (provide gross amount, discounted amount received by annuitant, annuitant's use of the proceeds of such transfer, court, cause number, and date of transfer);

10) in addition to ¶ 9, how many additional transfers have been applied for but denied (provide court, cause number, and date.

SO ORDERED this 24TH day of OCTOBER, 2020.



MARTIN HOFFMAN
DISTRICT JUDGE
68TH DISTRICT COURT, TEXAS