Bankruptcy Local Rule 3011-1

UNCLAIMED FUNDS

(a) **Filing of application.**

If a party seeks disbursement of unclaimed funds from a case, an application for withdrawal of funds must be executed and filed with the clerk. The clerk shall serve a copy of the application on the U.S. Attorney.

(b) **Proof of entitlement.**

(1) If the application is filed by a funds locator or other party, on behalf of a creditor in whose name the claim is filed, a signed limited or general power of attorney from the creditor must accompany the application (together with such other documentation required of the creditor under subdivisions (2) and (3) below).

(2) If the application is filed by a creditor, that is a corporation, partnership, or limited liability company, the application must be executed by an authorized officer, a general partner, or the limited liability company manager and accompanied by sufficient verification of capacity, such as articles of incorporation, board meeting minutes, partnership agreement, articles of organization, operating agreement, or other appropriate documentation.

(3) In all cases, sufficient proof of legal capacity and entitlement shall be filed with the application.

(c) **Objections.**

The U.S. Attorney may object by filing a written objection within twenty-eight (28) days of service of the application. An order approving the disbursement will be entered if no timely objection is filed.

RELATED AUTHORITY

11 U.S.C. § 347; 28 U.S.C. §§ 2041, 2042
Fed. R. Bankr. P. 3010, 3011

Advisory Committee Notes:

The clerk will provide guidelines upon request. The guidelines and form of application can be viewed at www.id.uscourts.gov. The ability to search the unclaimed funds database is also available at the court's website.