

**United States Bankruptcy Court  
Eastern District of Louisiana**

**Procedures for Claiming Unclaimed Funds**

1. Motions for payment of unclaimed funds will be processed when filed by either the owner of the funds, the owner's duly authorized agent or representative, or the successor in interest to the original owner.
2. The motion and accompanying documents may be filed electronically, by mail, or at the Clerk's Office. The proposed order should NOT be filed into the record; it may be attached to the motion or submitted electronically to:

[sectionAorders@laeb.uscourts.gov](mailto:sectionAorders@laeb.uscourts.gov) or [sectionBorders@laeb.uscourts.gov](mailto:sectionBorders@laeb.uscourts.gov).

3. **Privacy.** Documents filed with the court are available through the Internet. To insure confidentiality, the personal information supporting the motion should be submitted in hard copy to the Finance Section of the Clerk's Office and should not be filed into the case records.
4. The claimant must attach a certificate of service evidencing that a copy of the motion has been provided to the United States Attorney for the Eastern District of Louisiana in accordance with 28 U.S.C. § 2042.
5. The claimant's signature on the motion must be notarized. The motion must also include a statement that the claimant is legally entitled to claim the funds and that, under penalty of perjury, to the best of the claimant's knowledge, all information and documents submitted in support of the motion are true.
6. Claimants must provide the following information:

**A. Individual(s)**

1. A copy of the claimant's current driver's license or other government-issued identification containing the claimant's photograph and current address.
2. A copy of the claimant's social security card or other document containing the claimant's social security number.
3. If the claimant has moved since the original distribution of funds, documentation that the claimant resided at the original address at the time of deposit.
4. **Multiple parties.** If the amount was originally deposited in the name of multiple parties, the motion to withdraw funds must include all of the same parties. The Clerk's Office will issue any checks in the name of all of the parties listed on the original deposit. The only exception is if good cause is shown, such as a death or consent of the party not being included in the check.
5. **Deceased parties.** If the claimant is deceased, the person signing the motion must provide a death certificate and documentation showing the authority of that person to file the application on behalf of the claimant's estate.

**B. Corporate / Business Entity**

1. Documentation showing that the person signing is a representative of the business entity, such as a corporate resolution with the corporate seal affixed, articles of incorporation, board meeting minutes, etc.
2. The entity's federal tax identification number.
3. The entity's current mailing address.
4. A copy of the representative's identification credentials.

C. **Representative of Claimant (such as a Funds Locator)**

1. The information listed above under A - Individual(s) or B - Corporate / Business Entity, depending upon the type of claimant.
- and**
2. An original, notarized power of attorney or other document that establishes the representative's authority to act on behalf of the claimant.

D. **Successor in Interest to the Original Claimant**

1. The information listed above under A - Individual(s) or B - Corporate / Business Entity and, if necessary, C - Representative of Claimant.
- and**
2. Documents establishing the chain of ownership of the claim from the original claimant. The original claimant must be identified in the documents.

E. **Governmental Agency**

1. Proof of authority to represent the agency by the person signing the motion. (If a cover letter is submitted, it must be on official letterhead.)
2. The agency's federal tax identification number.
3. The agency's current mailing address.
4. A copy of the representative's identification credentials.

F. **Filings in More than One Case**

Claimants filing motions in more than one case must file the required proof of ownership in each case.

G. Additional proof of identity or entitlement to funds may be requested, if required, on a case by case basis.

7. Any motion or documentation that appears to be based upon fraud will be referred to the United States Attorney for investigation.
8. Funds will be disbursed only upon the order of a judge of the court.
9. The court receives numerous requests for unclaimed funds, so please be patient while the court processes requests. **Anticipate at least a 60 day turnaround from the time that the motion with all necessary documents is filed until the check is mailed.** This is necessary to verify the documentation, process the motion, and let the appeal period run.
10. Due to a nationwide change in the accounting system used by the U.S. Bankruptcy Courts, a completed, signed IRS Form W-9 is required with every motion for unclaimed funds. A fillable form is located at [www.irs.gov](http://www.irs.gov).
11. Suggested sample forms are attached.

**If you have questions regarding unclaimed funds,  
please contact the Clerk's Office at (504) 589-7878**

November 7, 2017

SAMPLE

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA

IN RE [Case Name] BANKRUPTCY CASE NO. [Number]

Debtor(s) CHAPTER [Number]

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

I, [Name], the undersigned claimant, move the court for an order disbursing the funds on deposit in this estate for the following reasons:

1. On [insert deposit date], the trustee of this estate deposited the sum of \$ [insert amount],

belonging to [insert name of original owner(s) of the funds], with the Clerk of the

Bankruptcy Court under 11 U.S.C. § 347(a).

2. I seek payment of these unclaimed funds to [insert claimant's name] at the following

address: [insert claimant's current address].

3. I have provided the United States Attorney for the Eastern District of Louisiana with a copy of this motion.

4. I state under penalty of perjury that I am legally entitled to claim these amounts for whom the unclaimed funds were deposited in this bankruptcy case. I certify that, to the best of my knowledge, all information and documents submitted in support of this motion are true and correct.

[insert date] Signature: Claimant's Name: Mailing Address: City, State, Zip Code: Telephone Number: Email Address (if filed electronically):

Subscribed and Sworn Before Me this \_\_\_ day of \_\_\_, 20\_\_.

Notary Public in and for the State of My commission expires:



**SAMPLE**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF LOUISIANA

IN RE \_\_\_\_\_ BANKRUPTCY CASE NO. \_\_\_\_\_  
[Case Name] [Number]  
Debtor(s) CHAPTER \_\_\_\_\_  
[Number]

ORDER FOR PAYMENT OF UNCLAIMED FUNDS

The court has considered the Motion for Payment of Unclaimed Funds filed by \_\_\_\_\_  
[insert  
\_\_\_\_\_ requesting payment of unclaimed funds in the  
claimant's name **and** current mailing address]  
amount of \$\_\_\_\_\_. The motion and the documents attached establish that the  
[insert amount]  
claimant is entitled to the unclaimed funds and that proper notice of the motion was given to the  
United States Attorney for the Eastern District of Louisiana. Accordingly,

**IT IS ORDERED** that the Motion for Payment of Unclaimed Funds is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of Court issue a check payable to \_\_\_\_\_  
[insert  
\_\_\_\_\_ in the amount stated above and mail the check to the above address.  
claimant's name]

New Orleans, Louisiana,

\_\_\_\_\_  
U.S. BANKRUPTCY JUDGE