

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Instructions for Filing Application for Payment of Unclaimed Funds**

Unclaimed funds are held by the court for an individual or entity who is entitled to the money but who has failed to claim ownership of it. The United States Courts, as custodians of such funds, have established policies and procedures for holding, safeguarding, and accounting for the funds.

**I. Searching Unclaimed Funds**

To verify unclaimed funds balances, you may use the court's public computer terminals located in each Clerk's Office or you may contact the Clerk's office (see [phone numbers](#) on page 3 of these instructions).

**II. Filing Requirements for Payment of Unclaimed Funds**

**A. Application for Payment of Unclaimed Funds**

Any party who seeks the payment of unclaimed funds must file the court's standard *Application for Payment of Unclaimed Funds* form and serve a copy of the application on the United States Attorney for the District of New Jersey. Failure to use this form will result in rejection of the application.

For purposes of this procedure, the "Applicant" is the party filing the application, and the "Claimant" is the party entitled to the unclaimed funds. The Applicant and Claimant may be the same.

**B. Supporting Documentation**

Funds are payable to the Claimant. Requirements for supporting documentation vary depending on the type of Claimant and whether the Claimant is represented. Please read the instructions below to identify what must accompany your *Application for Payment of Unclaimed Funds*.

Sufficient documentation must be provided to the court to establish the Claimant's identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. If there are joint Claimants, then supporting documentation must be provided for both Claimants.

**1. Owner of Record**

The Owner of Record is the original payee entitled to the funds appearing on the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

**a. Owner of Record – Individual**

(1) Proof of identity of the Owner of Record (*e.g.*, unredacted copy of driver’s license, other state-issued identification card, or U.S. passport that includes current address).

**b. Owner of Record – Business or Government Entity**

(1) Application must be signed by an authorized representative for and on behalf of the business or government entity;

(2) A notarized statement of the signing representative’s authority; and

(3) Proof of identity of the signing representative (*e.g.*, unredacted copy of driver’s license, other state-issued identification card, or U.S. passport that includes current address.)

If the Owner of Record’s name has changed since the funds have been deposited with the court, then proof of the name change must be provided.

**2. Successor Claimant**

A successor Claimant may be entitled to the unclaimed funds as a result of assignment, purchase, merger, acquisition, succession or by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

**a. Successor Claimant – Individual**

(1) Proof of identity of the successor Claimant (*e.g.*, unredacted copy of driver’s license, other state-issued identification card, or U.S. passport that includes current address); and

(2) Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

**b. Successor Claimant – Business or Government Entity**

(1) Application must be signed by an authorized representative for and on behalf of the successor entity;

(2) A notarized statement of the signing representative’s authority;

(3) A notarized power of attorney signed by an authorized representative of the successor entity;

(4) Proof of identity of the signing representative (*e.g.*, unredacted copy of driver’s license, other state-issued identification card, or U.S. passport that includes current address); and

(5) Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

**c. Deceased Claimant’s Estate**

(1) Proof of identity of the estate representative (*e.g.* unredacted copy of driver’s license, other state-issued identification card, or U.S. passport that includes current address);

- (2) Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or decedent's estate in accordance with applicable state law (e.g. small estate affidavit); and
- (3) Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

**3. Claimant Representative**

If the Applicant is a representative, other than an attorney who has filed a Notice of Appearance in the case, the following documentation is required:

- (1) Proof of identity of the representative (e.g., unredacted copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- (2) A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting; and
- (3) Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above.

**C. Proposed Order**

Applicant must provide the court with the court's standard *Order Granting Application for Payment of Unclaimed Funds*.

**D. Filing the Application**

The application, supporting documentation, certificate of service, and proposed order may be electronically filed<sup>1</sup> or submitted to the court at the following addresses:

U.S. Bankruptcy Court Clerk's Ofc. Martin Luther King, Jr. Federal Bldg. 50 Walnut Street P.O. Box 1352 Newark, NJ 07102 Phone (973) 645-4764	U.S. Bankruptcy Court Clerk's Ofc. Clarkson S. Fisher US Courthouse 402 East State Street Trenton, NJ 08608 Phone (609) 858-9333	U.S. Bankruptcy Court Clerk's Ofc. U.S. Post Office and Courthouse 401 Market Street P.O. Box 2067 Camden, NJ 08101 Phone (856) 361-2300
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**E. Post-Filing Process**

**1. Objections**

Any party objecting to the Claimant's request in the application shall, within twenty-one (21) days after service thereof, serve upon the Applicant and other appropriate parties and file

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<sup>1</sup>During electronic filing, use caution when submitting documents containing personal identifiers. Such documents must be filed using the event *Unclaimed Funds Supporting Documentation*, which was created for restricting these documents from public view.

with the court an objection to the application. If no objection is filed with the court within twenty-one (21) days after the filing of the application, the application and accompanying documents may be considered by the court without hearing.

**2. Deficiencies**

If the application is deficient, the Clerk's Office may contact the Applicant for additional proof of identity, proper service or entitlement to the funds. If the deficiency is not satisfied, the application may be denied.

**3. Payee Information**

If an order granting the Application for Payment of Unclaimed Funds is entered, Claimant's tax identification number (TIN) must be provided to the court on a form signed by the Claimant to whom funds are being distributed according to the requirements below at the following address:

United States Bankruptcy Court  
Martin Luther King, Jr. Federal Bldg.  
**Attention: Financial Department**  
50 Walnut Street  
P.O. Box 1352  
Newark, NJ 07102

**a. Domestic Claimant**

A Claimant who is a U.S. person<sup>2</sup> must submit either:

- (1) Court Form [AO-213P](#); or
- (2) IRS Form W-9 (accessible by searching on the Internal Revenue Service (IRS) website at: <https://www.irs.gov/>).

**NOTE:** If a claimant desires payment via Electronic Funds Transfer (EFT), then Court Form [AO-213P](#) must be used.

**b. Foreign Claimant**

A foreign claimant must submit both:

- (1) IRS Form W-8 (accessible by searching on the IRS website at: <https://www.irs.gov/>); and
- (2) Court Form [AO-215](#).

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<sup>2</sup> "U.S. person" include: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).