

D.N.J. LBR 3011-1. Unclaimed Funds in a Chapter 7, 12, or 13 Case

(a) Deposit. A trustee must file Local Form *Notice Depositing Unclaimed Funds Pursuant to D.N.J. LBR 3011-1* to deposit unclaimed funds into the court's registry without court order.

(b) Withdrawal.

- (1) All requests for withdrawal must be brought by motion.
- (2) The motion may be brought only by:
 - (A) the original payee or its legal successor; or
 - (B) the original payee's assignee or its legal successor.
- (3) The certification in support of the motion must include the reason the funds were unclaimed.
- (4) The motion must be served on the trustee or the disbursing agent, as applicable. In a closed case, the motion must be served on the United States trustee.
- (5) The motion must include Local Form *Order Directing Payment of Unclaimed Funds*.

2015 Comment

Section 2041 of title 28 governs deposit of funds in pending or adjudicated cases, and section 2042 governs withdrawal of funds deposited in court.

This Rule applies only to unclaimed distributions deposited into court by a trustee under § 347(a) of the Code. All other funds deposited into court are governed by Local Bankruptcy Rule [7067-1](#).

In a closed case, the chief bankruptcy judge will hear the motion for withdrawal.