

D.N.J. LBR 3021-1 DISTRIBUTION - UNDER PLAN (Ch. 11)

- (a) If a plan provides for distribution of property but does not designate a disbursing agent, the Court may designate a disbursing agent. The terms of any compensation to a disbursing agent shall be set forth in the plan or the order of the Court that directs the appointment of the disbursing agent.
- (b) The disbursing agent shall maintain funds for distribution to creditors and equity holders in a special account established for the exclusive purpose of making such distribution and shall make disbursements from such account only by check imprinted with the case name and the disbursing agent's name.
- (c) If the plan requires the disbursing agent to maintain funds for more than 30 days, those funds shall be held in interest-bearing accounts or certificates, and interest earned shall inure to the benefit of creditors and equity holders, unless otherwise directed by the Court.
- (d) Within 60 days after each distribution under the plan, the disbursing agent shall file and serve on the debtor, the plan proponent if other than the debtor, any official committee, and other parties as the Court may direct, Local Form, *Report of Distributions Under Confirmed Chapter 11 Plan*.
- (e) Unless the plan provides otherwise, the time period for return of unclaimed security, money, or other property in accordance with § 347(b) of the Code shall be 90 days from the date of distribution.

1997 Comment: Formerly Local Rule 23.

2010 Comment: This rule is amended to require the filing of a *Report of Distributions Under Confirmed Chapter 11 Plan* after each distribution is made, and to eliminate the reference to "D.N.J. Local Form 7," by substituting the caption of the form. The Local Form is also amended.

Reference: 11 U.S.C. § 1123 Contents of plan; Fed. R. Bankr. P. 3020(a) Deposit; Confirmation of Plan in a Chapter 9 Municipality or a Chapter 11 Reorganization Case.