

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS**

**INSTRUCTIONS FOR SUBMISSION OF AN APPLICATION
FOR PAYMENT OF UNCLAIMED FUNDS**

Unclaimed funds are monies held by the court on behalf of an owner or recipient who is entitled to them but has failed to claim ownership. Unclaimed funds may arise out of a variety of circumstances. For example, delivery of a payment may not be possible due to a faulty or incomplete address for the recipient or a dividend check from a bankruptcy case was not cashed. The U.S. Bankruptcy Court, as custodian of these funds, has established policies and procedures for holding, safeguarding, and accounting for these funds.

If you are due unclaimed funds, please follow the steps below in order to submit your claim:

For all applicants:

1. Submit a completed Application for Payment of Unclaimed Funds directly to the Court. Have your signature notarized and include the necessary proof of ownership of the funds as directed on the following page.
2. Attach to the Application, a Certificate of Service evidencing that a copy of the Application has been mailed to the proper office of the United States Attorney for the Western District of Texas (as determined by division) pursuant to Title 28 U.S.C. §2042. Notice to the United States Attorney is required in ALL instances. See Attachment (2).
3. Complete and attach an IRS W-9 form and the AO213P form. When completing the AO213P form, be sure to include your banking information in Part 6 of the form. All payments must be disbursed via Electronic Funds Transfer (EFT).
4. Mail the entire application packet to:

Clerk, U.S. Bankruptcy Court
Western District of Texas
Finance Dept
615 E. Houston St., Ste 546
San Antonio, TX 78205
5. Mail a copy of the application packet to the corresponding United States Attorney's office listed on the Certificate of Service.

For claimants in multiple cases, a separate Application must be prepared for each case with all the above requirements attached to each Application.

All indications of fraud will be promptly forwarded to the United States Attorney for review.

If no objection is filed within 14 days from the date of the order, a voucher will be executed to pay the funds. Payments could take up to 60 days from the entry of the order to receive.

Please be aware that the Debt Collection Improvement Act of 1996 (DCIA) requires federal government entities to collect delinquent debts owed to federal and some state agencies by applying all or a portion of federal payments to those delinquent debts. If you have not received your payment and you suspect it has been offset due to a delinquent debt, please call our office at (210) 472-6720.

REQUIREMENTS FOR APPLICATIONS FOR UNCLAIMED FUNDS

Owners of Record

When a claimant who is the original owner of record petitions the court requesting the release of the funds, the claimant must provide to the court the following:

- A notarized signature of the claimant(s);
- The name, address and telephone number of the claimant;
- The social security or tax identification number of the claimant; and
- Proof of identity of the owner of record, such as a copy of driver's license or social security card.

Successor Claimants

1) Successor Businesses

When a successor business claimant petitions the court for release of unclaimed funds, the claimant must provide to the court the following:

- Proof of identity of the owner of record;
- A notarized power of attorney signed by an officer of the successor business;
- A statement of the signing officer's authority; and
- Documentation establishing chain of ownership from the original business claimant.

2) Transferred Claims

When a successor claimant holding a transferred claim petitions the court for release of unclaimed funds, the successor claimant must provide to the court the following:

- Proof of identity of the owner of record;
- Proof of identity of the successor claimant; and
- Documentation evidencing the transfer of claim.
- Note, transfers of claims are to be filed in the case upon said transfer.

3) Decedent's Estate (Administrator, Executor, Representative)

When the owner of record is deceased and the decedent's estate petitions the court for release of unclaimed funds, the decedent's estate must provide to the court the following:

- Proof of identity of the owner of record;
- Proof of personal identity of the estate administrator; and
- Certified copies of probate documents establishing the representative's right to act on behalf of the decedent's estate.

Claimant Representatives (i.e., funds locators)

When a representative of the owner of record or successor claimant petitions the court for release of unclaimed funds, the representative must provide to the court the following:

- Proof of identity of the owner of record;
- A notarized, original power of attorney signed by the claimant on whose behalf the representative is acting;
- Proof of identity of the representative; and
- Documentation sufficient to establish the claimant's entitlement to the funds.
- An IRS W-9 form from the listed creditor, and an AO-213 for payment information.