

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA**

**PROCEDURES FOR DISBURSEMENT OF UNCLAIMED FUNDS
(Revised September 2008)**

Pursuant to 28 U.S.C. § 2042, any claimant entitled to unclaimed funds may petition the Court. Upon notice to the U.S. Attorney and full proof of the right to such funds, the claimant may obtain an Order directing disbursement of the funds to him or her. The following requirements apply for the disbursement of unclaimed funds:

1. If claimant is the **debtor or an individual appearing pro se**, an Application for Disbursement of Unclaimed Funds (Exhibit 1), and proposed Order, must be filed along with the following documentation:
 - a. Name, address, and phone number of claimant;
 - b. Social Security or Tax ID number of claimant; and
 - c. Copy of photo identification (such as a driver's license or passport).
2. If the claimant is **not the debtor or an individual appearing pro se**, an original Power of Attorney with notarized signature must accompany the Application for Disbursement of Unclaimed Funds and proposed Order. If claimant is deceased, certified copies of all probate documents substantiating the representative's right to act on behalf of the deceased's estate must be submitted with the Application for Disbursement of Unclaimed Funds and proposed Order.
3. If claimant is a **corporation or partnership**, representation must be by an attorney who is admitted to practice in the Southern District of Georgia. An Application for Disbursement of Unclaimed Funds and proposed Order must be filed with the following documentation:
 - a. Corporate Power of Attorney signed by a corporate officer;
 - b. Statement of signing officer's authority; and
 - c. Documents establishing ownership of original corporate claimant.
4. Once ownership rights have been determined, a check will be made payable to the owner and/or representative upon Order of the Court.
5. If a Funds Locator has purchased/been assigned the claim or purchased the assets of the business, corporate documents which provide proof of ownership of the funds through amendment, merger, purchase, or sale must be provided with the Application for Disbursement of Unclaimed Funds, appropriate Power of Attorney and proposed Order.
6. If an application is deficient and is not resolved within 20 days of the issuance of a Deficiency Notice mailed by the Clerk's Office, the deficient application will be denied.
7. A hearing may be held on the application if the Court is doubtful about a document or if a dispute arises.
8. Any indication of fraud will be referred to the United States Attorney.

FOR THE COURT:
Samuel L. Kay
Clerk of Court

DATED:
September 24, 2008

NOTE: FOLLOWING RECEIPT OF A COMPLETE APPLICATION AND THE NECESSARY DOCUMENTATION AS REFERENCED ABOVE, REQUESTS FOR DISBURSEMENT OF UNCLAIMED FUNDS TYPICALLY REQUIRE 30 DAYS TO PROCESS.