

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA**  
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**CLERK'S INSTRUCTIONS FOR DEPOSITS INTO  
AND WITHDRAWALS FROM UNCLAIMED FUNDS**

Local Rule 3011-1 sets forth the provisions for depositing and withdrawing unclaimed funds in this court.

**I. Deposits Into Unclaimed Funds:**

Trustees or others depositing funds into the court pursuant to Local Rule 3011-1(A) or (B) must submit the court's Local Form "Notice of Deposit of Funds With the U.S. Bankruptcy Court Clerk" (LF-26), which also requires the attachment of a list of all claimants containing required information, including name, amount of claim, amount allowed and last known address.

**II. Withdrawals from Unclaimed Funds:**

**A. General Instructions:**

Modifications to forms **are not** permitted. Applications submitted on modified or nonconforming forms will be returned unprocessed.

If you are a "funds locator" (i.e. a person or entity who **is not** the original claimant or successor in interest to the original claimant, or an officer of an original claimant corporation or an officer of a successor in interest to an original claimant corporation), you must complete all information on the Local Form "Affidavit of Claimant" before it is given to the claimant to sign **and have notarized**. This is necessary to ensure that the claimant has sufficient information to verify that the claimant is in fact entitled to the funds that the "funds locator" is applying on behalf of the claimant for.

**B. Required Forms:**

1. Individuals Applying as Original Claimants (including those claiming as probate successors)

Individuals applying on behalf of themselves need only submit the court's Local Form "Application to Withdraw Unclaimed Funds" (LF-27), which must be notarized and Local Form "Order For Payment of Unclaimed Funds" (LF-29).

2. Applicants Other Than Individuals Applying as Original Claimants  
(Representative of Claimants)

In addition to the Local Form, "Application to Withdraw Unclaimed Funds" (LF-27) and Local Form, "Order For Payment of Unclaimed Funds" (LF-29), **you must also submit:**

- this court's Local Form "Affidavit of Claimant" (LF-28) (claimant must complete the form and have it notarized.);

- a "Power of Attorney" conforming to the Official Bankruptcy Form "Power of Attorney". If the claimant is a non individual, a corporate power of attorney, signed by the CEO (or other authorized signatory) of the company, sealed with the corporate seal and accompanied by a statement of the signing officer's authority, as well as documents which established the chain of ownership of the original corporate claimant must be provided.

- any documentation that will support the claimant or successor in interest to the original claimant's right to this claim (i.e. probate orders, purchase of business contracts, etc.).

**C. Issuance of Checks**

All checks issued as a result of an application submitted by an attorney or "funds locator" who has been retained by the claimant or other party entitled to the funds shall be made payable to the applicant **and** the claimant (or successor in interest to the original claimant) so that the claimant is aware that a check has been issued. If the application is signed by an individual on behalf of a non individual, the check will be issued in the non individual (i.e. company) name.

**Note:** Any indication of fraud related to unclaimed funds withdrawal requests will be reported to the U.S. Attorney.

If you have any questions regarding the unclaimed funds applications or this court's required procedures for processing unclaimed funds applications, please contact this court's financial section at (305) 714-1841 or 714-1848 or write to: Financial Section, United States Bankruptcy Court, Southern District of Florida, 51 SW 1st Avenue, Federal Building, Miami, FL 33130-1669.