

Rule 3011-1. Unclaimed Funds.

(A) Deposit by Chapter 7, 12, or 13 Trustee. The chapter 7, 12, or 13 trustee shall pay over to the court any funds left undistributed pursuant to Bankruptcy Rule 3011, accompanied by the Local Form “Notice of Deposit of Funds with the U.S. Bankruptcy Clerk”.

[Comment: See also 11 U.S.C. § 347(a) (deposit of unclaimed funds after final distribution).]

(B) Deposit by Disbursing Agent Under Chapter 11 Liquidating Plan. The disbursing agent under a chapter 11 plan which provides for the complete liquidation of the property of the debtor shall pay over to the court any funds left undistributed 90 days after the final distribution under the plan, accompanied by the Local Form “Notice of Deposit of Funds with the U.S. Bankruptcy Clerk”.

[Comment: Compare 11 U.S.C. § 347(b) (return of unclaimed funds to debtor in reorganization cases).]

(C) Withdrawal of Unclaimed Funds. The court shall consider a request for withdrawal of unclaimed funds only upon application submitted utilizing the local forms (including the “Application to Withdraw Unclaimed Funds” and the “Statement of Social Security Number of Unclaimed Funds Applicant/Claimant”) and in compliance with the “Clerk’s Instructions for Deposits Into and Withdrawal From Unclaimed Funds. Any documentation that contains personal identifying information must be attached to the “Statement of Social Security Number of Unclaimed Funds Applicant/Claimant” to avoid inclusion of this information in the public records.

☞ 2004 Amendment: Amended to reference requirements of the federal judiciary privacy policy.