

**United States Bankruptcy Court
District of Rhode Island**

Unclaimed Funds Procedures

All Unclaimed Funds paid into the Court pursuant to 11 U.S.C. Section 347 (a) are deposited into the United States Treasury. To search for Unclaimed Funds or print the Unclaimed Funds Report, [click here](#).

A. Request for Unclaimed Funds is typically requested by the following parties:

1. **By An Owner of Record** - ([click here for instructions to request funds](#))
2. **By A Successor in Interest** - ([click here for instructions to request funds](#))
3. **A Representative Claimant** (Ex. Funds Locator) - ([click here for instructions to request funds](#))

B. General information for the payment of Unclaimed Funds:

1. Claimant must submit an Application for Payment of Unclaimed Funds ([click here for example](#)) along with a Proposed Order for Payment of Unclaimed Funds ([click here for example](#)) to the *Clerk of the U.S. Bankruptcy Court, 380 Westminster Street, 6th Floor, Attn: Finance Dept., Providence, RI 02903*.
2. Claimant must serve a **copy** of the Application for Payment of Unclaimed Funds upon the *U.S. Attorney for the District of Rhode Island, Fleet Center, 50 Kennedy Plaza, 8th floor, Providence, RI 02903*, upon the original owner, if appropriate, and upon any other party who may have an interest in the funds and attach a Certificate of Service ([click here for example](#)) with the original Application for Payment of Unclaimed Funds.
3. Any payment made to a claimant represented by an attorney will be issued to the claimant and will be mailed to the attorney unless otherwise ordered by the Court.
4. For the purpose of filing a request to recover Unclaimed Funds, a corporation or individual who is the original claimant can make a written request for payment of monies on a pro se basis.
5. For financial purposes, the Court requires the claimant to provide the Court with Form AO213, Vendor Information/TIN Certification that includes social security number or tax identification number and signature. ([click here to access form](#))

C. Claimants must prove identity through at least one of the following methods:

1. An individual must provide on the Application for Payment of Unclaimed Funds, the certificate of a notary public bearing the seal of the notary, and indicating that the notary has examined the application and documents presented by the claimant/filer to establish identity. Copies of any documents used to establish identity, such as an unexpired passport, valid driver's license, or social security card, must be attached to the Application.
3. A corporate representative appearing for the corporation must attach to the Application for Payment of Unclaimed Funds an affidavit of the Chief Executive Officer stating that such representative is a duly authorized representative of the corporation. If the creditor/claimant is a

successor corporation, a brief statement of the facts of acquisition and documents establishing the chain of ownership of the original corporate claimant must be provided as proof of entitlement to the unclaimed funds being held. If applicable, proof of sale of the company, new and prior owners, and a copy of the terms of any purchase agreement or stipulation by prior and new owners of right of ownership to the unclaimed funds must be provided. Copies of all documents evidencing assignment must be appended to the application.

4. A representative of a deceased creditor/claimant must provide a certified copy of all probate documents, including a copy of the death certificate, to substantiate the representative's right to act on behalf of the decedent's estate.
5. Additional proof of identity or entitlement to funds may be requested, if required, on a case by case basis.

D. Hearing

The request for the payment of Unclaimed Funds may be granted without a hearing. If a hearing is scheduled, the Court will send a notice of the date and time for the hearing to all interested parties.

E. Fraud

Any request presented to the Court for unclaimed funds which appears to be based upon fraud will be referred to the U. S. Attorney for investigation and prosecution.

Information and Documentation for Motion for Payment of Unclaimed Funds

I. A request BY AN OWNER OF RECORD for payment of Unclaimed Funds must include the following documents:

A. Application for Payment of Unclaimed Funds ([click here for example](#)) which must include the following:

- The debtor's name
- The case number
- The amount of the claim
- The complete name of the party claiming the funds ("Claimant")
- Claimant's current address
- Claimant's telephone number
- Reason original check was not received or negotiated
- Claimant's signature
- Form AO213, Vendor Information/TIN Certification of the claimant

B. Certificate of Service ([click here for example](#)) showing service of a **copy** of the Application for Payment of Unclaimed Funds

- Upon the U.S. Attorney for the District of RI at mailing address:

Office of the U.S. Attorney
Fleet Center
50 Kennedy Plaza, 8th floor
Providence, RI 02903

- Upon any other party who may have an interest in these funds

C. Proposed Order for Payment of Unclaimed Funds ([click here for example](#)) directing payment to Claimant and including the following:

- Debtor's name
- Case number
- The amount of the claim
- Claimant's full name and correct address

Address for Application and Proposed Order for Payment of Unclaimed Funds:

*Clerk of the U.S. Bankruptcy Court,
The Federal Center
380 Westminster Street, 6th Floor, Attn: Finance Dept.,
Providence, RI 02903*

Information and Documentation for Motion for Payment of Unclaimed Funds

II. A request **BY A SUCCESSOR IN INTEREST** for payment of Unclaimed Funds must include the following documents:

- A. Application for Payment of Unclaimed Funds**, which must include the information set forth in the above Section I for **Request By An Owner of Record**, and the following:
- The full name of the original owner of funds
 - The original owner's address
 - A brief statement of the facts by which Claimant acquired the rights as successor in interest to the original owner of the funds.
 - Form AO213, Vendor Information/TIN Certification for successor business, transferee, assignee or estate administrator

A copy of the documents which show that Claimant is entitled to payment of the funds as a successor in interest to the original owner of the funds should be attached to the request. Copies of any documents from a probate or other court must be certified copies.

- B. Certificate of Service** ([click here for example](#)) showing service of a **copy** of the Application for Payment of Unclaimed Funds:

- Upon the U.S. Attorney for the District of RI at mailing address:

Office of the U.S. Attorney
Fleet Center
50 Kennedy Plaza, 8th floor
Providence, RI 02903

- Upon the original owner, if appropriate, and
- Upon any other party who may have an interest in these funds

- C. Proposed Order for Payment of Unclaimed Funds** ([click here for example](#)) directing payment to Claimant and including the following:

- Debtor's name
- Case number
- The name of the original owner
- The amount of the claim
- Claimant's full name and correct address

Address for Motion and Proposed Order for Payment of Unclaimed Funds:

*Clerk of the U.S. Bankruptcy Court,
The Federal Center
380 Westminster Street, 6th Floor, Attn: Finance Dept.,
Providence, RI 02903*

Information and Documentation for Motion for Payment of Unclaimed Funds

III. A request by **A REPRESENTATIVE CLAIMANT** (such as a Funds Locator) for payment of Unclaimed Funds must include the following documents:

- A. Application for Payment of Unclaimed Funds**, which must include all the information set forth in the above Section I for **OWNER OF RECORD** and Section II for **SUCCESSOR IN INTEREST** (if applicable), **and the following:**
- If available, the original owner's current address
 - A brief statement of the authority under which the Representative Claimant is asserting a claim to the funds.
 - If the Representative Claimant is asserting a claim on behalf of a successor to the original owner, the full name, current address, social security number or tax ID number of the successor, and a brief statement of the facts by which the successor acquired rights to the funds.
 - Form AO213, Vendor Information/TIN Certification for owner of record

A copy of the documents which show the authority under which the Representative Claimant is asserting a claim to the funds should be attached to the Motion. If the Representative Claimant is proceeding under a power of attorney, an original Power of Attorney form which contains a notarized signature must be attached.

- B. Certificate of Service** ([click here for example](#)) showing service of a **copy** of the Motion for Payment of Unclaimed Funds:

- Upon the U.S. Attorney for the District of RI at mailing address:

Off ice of the U.S. Attorney
Fleet Center
50 Kennedy Plaza, 8th floor
Providence, RI 02903

- Upon the party for whose behalf the claim is asserted, and
- Upon any other party who may have an interest in these funds

- C. Proposed Order for Payment of Unclaimed Funds** ([click here for example](#)) directing payment to Claimant and including the following:

- Debtor's name
- Case number
- The name of the original owner
- The amount of the claim
- Claimant's full name and correct address

Address for Application and Proposed Order for Payment of Unclaimed Funds:

*Clerk of the U.S. Bankruptcy Court,
The Federal Center
380 Westminster Street, 6Th Floor, Attn: Finance Dept.,
Providence, RI 02903*