

**UNITED STATES BANKRUPTCY COURT  
EASTERN AND WESTERN DISTRICTS OF ARKANSAS**

**Procedures for Claiming Unclaimed Funds**

Under [28 U.S.C. § 2042](#), a party entitled to unclaimed funds "...may, on petition to the court and upon notice to the U.S. attorney and full proof of the right thereto, obtain an order directing payment to him." Applications for payment of unclaimed funds will only be processed when filed by either the Owner of the funds or the owner's duly authorized agent or representative.

**1. Owners of Record:** the person shown in the court's records as the owner of the funds.

When a claimant contacts a court to request unclaimed funds as owner of record, the claimant must submit a petition to the court requesting the release of the funds. To verify the claimant's identity as owner of record, the claimant must provide to the court the following:

- A notarized signature of the claimant
- The name, address, and telephone number of the claimant
- The social security or tax identification number of the claimant, and
- Any additional information that the court may deem necessary

**2. Successor Claimants:** business successors, decedent's estates, assignees, judgment creditors, etc., who now have direct claims to the funds but are not the owners of record.

**A. 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 identify 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.

**B. 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 owner of record
- Proof of identify of the successor claimant; and
- Documentation evidencing the transfer of claim.

**C Decedent's Estate (Administrator, Executor, Representative):**

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

3. **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 the court the following:

- Proof of identity of the owner of record (as required above under 1. Owners of Record)
- A notarized, original power of attorney signed by the claimant on whose behalf the representative is acting;
- Proof of identity of the person submitting the application;
- Documentation sufficient to establish the claimant's entitlement to the funds.

Upon receipt of the application, the financial department will review the application and supporting documentation for accuracy and validity, verify that the requested funds remain on deposit with the Court, and forward the application and supporting documentation to the Bankruptcy Judge, who has sole discretion as to the disposition of the application.

All checks issued shall be made payable to the owner of record. All checks issued as a result of an application submitted by a successor claimant or claimant representative (funds locator) shall be made payable to the owner of record and mailed to the successor claimant or claimant representative.

Questions concerning these procedures should be directed to the Financial Office, U. S. Bankruptcy Court, 300 W. Second Street, Little Rock, Arkansas 72201, (501) 918-5512 or (501) 918-5510.

UNITED STATES BANKRUPTCY COURT  
EASTERN AND WESTERN DISTRICTS OF ARKANSAS

In re: \_\_\_\_\_  
[Case Name]

Case No. \_\_\_\_\_  
[Number]

APPLICATION FOR UNCLAIMED FUNDS

I, the undersigned, under penalty of perjury under the laws of the United States of America, declare (or certify, verify, or state) that I am legally entitled to claim these funds and that the following statements and information are true and correct:

1. I am applying to receive \$ \_\_\_\_\_, the total of all money deposited with the court by the trustee, on behalf of the Owner of Record whose name is \_\_\_\_\_.

2. My SSN/Tax ID# is \_\_\_\_\_.

3. Please check and complete only the ONE applicable subparagraph below.

1. I am the Owner of Record named in paragraph 1, or, if not an individual, I am an employee of the Owner of Record and I am authorized by the Owner of Record to file this application and my title is (e.g., owner, partner, etc.) \_\_\_\_\_.

2. I am a Successor Claimant, not the Owner of Record, and I am authorized to file this petition. The following is a brief history of the chain of ownership from the Owner of Record named in Section 1 to the Applicant, which includes, if applicable, identification of any sale of the company and the new and prior owner(s). Attach additional sheet(s) if necessary. \_\_\_\_\_.

3. I am a Claimant Representative (i.e., funds locator) whose name, title, and address is \_\_\_\_\_.

4. I have no knowledge that any other party may be entitled to these funds and am not aware of any dispute regarding these funds.

5. Enclosed is a photocopy of photo identification (e.g., driver's license or passport) of the applicant named below.

6. Enclosed is supporting documentation for this claim as required by the Procedures for Claiming Unclaimed Funds which is listed on this court's website.

7. I understand that, pursuant to 18 U.S.C. §152, I will be fined not more than \$5,000, or imprisoned not more than five years, or both, if I have knowingly and fraudulently made any false statements in this document.

8. On \_\_\_\_\_ I mailed BOTH: (a) the ORIGINAL of this document (fully completed) to the office of the Clerk, U.S. Bankruptcy Court, 300 W. Second St., Little Rock AR 72201; AND (b) a COPY to the U.S. Attorney at P. O. Box 1524, Fort Smith, AR 72902 (Western District) or P. O. Box 1229, Little Rock, AR 72203 (Eastern District), per 28 U.S.C. §2042

\_\_\_\_\_  
Applicant's Signature (Bar# if attorney)

\_\_\_\_\_  
Applicant's Telephone Number

\_\_\_\_\_  
Applicant's Name (Type or Print)

\_\_\_\_\_  
Applicant's Street Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
City, State and Zip

State of \_\_\_\_\_

County of \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_