

**INFORMATION AND DOCUMENTATION REQUIRED
FOR PETITION FOR UNCLAIMED FUNDS**

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

- **Petition** for Payment of Unclaimed Funds, which must include the following:
 - The debtor's name
 - The Chapter number (7, 11 or 13)
 - The case number followed by the judge's initials
 - The complete name of the party claiming the funds ("Claimant")
 - Claimant's previous address
 - Claimant's current address and telephone number
 - The amount of the claim
 - Claimant's signature

If Claimant is an **individual**, Claimant's signature must be **notarized** or, if the individual is represented by an attorney, the petition must be **verified**.

If Claimant is a **corporation**, the Petition must be signed by a corporate officer, must contain **the corporate seal** and must contain a statement of the signing officer's authority. If the corporation is represented by an attorney, the petition must be accompanied by a corporate resolution signed by a corporate officer, containing the corporate seal and containing a statement of the signing officer's authority.

If Claimant is a **partnership**, the Petition must be signed by the general partner(s) and must contain a statement of the signing person's authority. If the partnership is represented by an attorney, the petition must be **verified** by the general partner(s), containing a statement of the signing officer's authority.

- A **certificate of service** showing service of a copy of the petition
 - upon the U.S. Attorney and
 - upon any other party who may have an interest in the funds
- A proposed **order** directing payment to Claimant, and includes the following:
 - The date the funds were originally remitted to the Registry of the Court
 - The amount of the claim
 - Claimant's full name and correct address
- **Form W-9**, Request for Taxpayer Identification Number and Certification
 - Name or Business
 - Select classification
 - Current address
 - Social Security or Employer Identification number
 - Sign and date the form

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

- **Petition** for Payment of Unclaimed Funds, which must include the information set forth above, **plus the following:**
 - The full name of the original owner of the funds.
 - The original owner's previous address
 - A brief statement of the facts by which Claimant acquired the rights as successor in interest to the original owner of the funds.
 - Copies of 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 Petition. Copies of any documents from a probate or other courts must be certified copies.

- A **certificate of service** showing service of a copy of the petition
 - upon the U.S. Attorney,
 - upon the original owner, if appropriate, and
 - upon any other party who may have an interest in the funds.

- A proposed **order** directing payment to Claimant, and includes the following:
 - The date the funds were originally remitted to the Registry of the Court and the name of the original owner
 - The amount of the claim
 - Claimant's full name and correct address

- **Form W-9**, Request for Taxpayer Identification Number and Certification
 - Name or Business
 - Select classification
 - Current address
 - Social Security or Employer Identification number
 - Sign and date the form

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

- **Petition** for Payment of Unclaimed Funds, which must include all the information required in number I and II above (if applicable), **plus 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.

- Copies of documents which show the authority under which the Representative Claimant is asserting a claim to the funds should be attached to the Petition, except that if the

Representative Claimant is proceeding under a power of attorney, an original power of attorney form, which conforms to Georgia law and which contains a notarized signature.

- A **certificate of service** showing service of a copy of the petition
 - upon the U.S. Attorney,
 - upon the party for whose behalf the claim is asserted, and
 - upon any other party who may have an interest in the funds.

- A proposed **order** directing payment to Claimant, and includes the following:
 - The date the funds were originally remitted to the Registry of the Court and the name of the original owner
 - The amount of the claim
 - Claimant's full name and correct address

- **Form W-9, Request for Taxpayer Identification Number and Certification**
 - Name or Business
 - Select classification
 - Current address
 - Social Security or Employer Identification number
 - Sign and date the form

IV. Hearings

The petition 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.

V. Fraud

Any Petition for Unclaimed Funds which appears to be based upon fraud will be referred to the U.S. Attorney for investigation and prosecution.

VI. Forms

Suggested forms for use in connection with a Petition of Unclaimed Funds are attached to this information sheet.

Mail original documents to:

U.S. Bankruptcy Court
Northern District of Georgia
1340 U.S. Courthouse
75 Spring Street, S.W.
Atlanta, Georgia 30303

Mail copy of documents to:

U.S. Attorney's Office
1800 U.S. Courthouse
75 Spring Street, S.W.
Atlanta, Georgia 30303

U.S. Bankruptcy Judges:

Judge C. Ray Mullins
Judge W. H. Drake
Judge Margaret H. Murphy
Judge Paul W. Bonapfel

Judge Mary Grace Diehl
Judge Wendy L. Hagenau
Judge James R. Sacca
Judge Barbara Ellis-Monro

