

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF KENTUCKY**

**Instructions for Filing Application for Payment of Unclaimed Funds**

Unclaimed funds are held by the court for an individual or entity who is entitled to the money, but who has failed to claim ownership of it. The United States Courts, as custodians of such funds, have established policies and procedures for holding, safeguarding, and accounting for the funds.

**I. Searching Unclaimed Funds**

To search unclaimed funds, use the [Unclaimed Funds Locator](https://ucf.uscourts.gov/) at <https://ucf.uscourts.gov/>. Select Kentucky Eastern Bankruptcy Court from the dropdown list and enter the applicable search criteria. Additionally, you may contact the Finance Department by email at [KYEBml\\_Finance@kyeb.uscourts.gov](mailto:KYEBml_Finance@kyeb.uscourts.gov) or by phone at (859) 233-2608 to verify unclaimed funds balances.

**II. Filing Requirements for Payment of Unclaimed Funds**

**A. Application for Payment of Unclaimed Funds**

Any party who seeks the payment of unclaimed funds must file an Application for Payment of Unclaimed Funds in substantial conformance with the court's standard application form and serve a copy of the application on the United States Attorney for the Eastern District of Kentucky. For purposes of this procedure, the "Applicant" is the party filing the application, and the "Claimant" is the party entitled to the unclaimed funds. The Applicant and Claimant may be the same.

**B. Supporting Documentation**

**1. Payee Information**

Funds are payable to the Claimant. In conjunction with the Application for Payment of Unclaimed Funds, Claimant's tax identification number or social security number must be provided to the court on a certification form signed by the Claimant to whom funds are distributed.

**a. Domestic Claimant**

A Claimant must use either the AO-213P or AO-213 or W-9 certification form (accessible by searching on the Internal Revenue Service (IRS) website at: <https://www.irs.gov/>). If a Claimant wants payment via Electronic Funds Transfer (EFT), then the AO-213P or AO-213 form must be used.

## **b. Foreign Claimant**

A foreign Claimant must use a W-8 certification form (accessible by searching on the IRS website at: <https://www.irs.gov/>) accompanied by an AO-215 form, which the court will provide upon request.

## **2. Additional Supporting Documentation**

Requirements for additional supporting documentation vary depending on the type of Claimant and whether the Claimant is represented. Please read the instructions below to identify what must accompany your Application for Payment of Unclaimed Funds.

Sufficient documentation must be provided to the court to establish the Claimant's identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. If there are joint Claimants, then supporting documentation must be provided for all Claimants.

### **a. Owner of Record**

The Owner of Record is the original payee entitled to the funds appearing on the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

#### **i. Owner of Record- Individual**

- a. Proof of identity of the Owner of Record (*e.g.*, copy of driver's license, other state-issued identification card, U.S. passport); and
- b. A notarized signature of the Owner of Record (incorporated in application).

#### **ii. Owner of Record- Business**

- a. Application must be signed by an authorized representative for and on behalf of the corporation or other business entity;
- b. A notarized statement of the signing representative's authority (preferably on company letterhead); and
- c. Proof of identity of the signing representative (*e.g.*, copy of driver's license, other state-issued identification card, U.S. passport)

If the Owner of Record's name has changed since the funds have been deposited with the court, then proof of the name change must be provided.

### **b. Successor Claimant**

A successor Claimant may be entitled to the unclaimed funds as a result of assignment, purchase, merger, acquisition, succession or by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

**i. Successor Business Claimant**

- a. Application must be signed by an authorized representative for and on behalf of the successor entity;
- b. A notarized statement of the signing representative's authority for the successor entity (preferably on company letterhead);
- c. Proof of identity of the signing representative for the successor entity (*e.g.*, copy of driver's license, other state-issued identification card, or U.S. passport);
- d. A notarized statement of the signing representative's authority for the Owner of Record (preferably on company letterhead);
- e. Proof of identity of the signing representative for the Owner of Record (*e.g.*, copy of driver's license, other state-issued identification card, or U.S. passport); and
- f. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

**ii. Deceased Claimant's Estate**

- a. Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or decedent's estate in accordance with applicable state law (*e.g.*, small estate affidavit); and
- b. Proof of identify of the estate representative (*e.g.*, copy of driver's license, other state-issued identification card, or U.S. passport); and
- c. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

**c. Claimant Represented by Attorney or Funds Locator**

If the Claimant is represented by an attorney or funds locator, then the following additional documentation is required:

**i. Attorney**

- a. Provide in the application the attorney's bar number and state of license; and
- b. Documentation sufficient to establish the Claimant's entitlement to the funds.

**ii. Funds Locator**

- a. A notarized power of attorney signed by the Owner of Record on whose behalf the representative is acting;
- b. Proof of identity of the authorized representative (copy of driver's license, other state-issued identification card, or U.S. passport); and
- c. Documentation sufficient to establish the Claimant's entitlement to the funds.

Payments will not be made payable to the representing party.

**C. Certificate of Service**

When filing an Application for Unclaimed Funds, the Applicant must include a certificate of service, reflecting service of a copy of the application and supporting documentation upon the

U.S. Attorney for the Eastern District of Kentucky at the following mailing address:

Office of the U.S. Attorney  
Eastern District of Kentucky  
260 W Vine St, Ste 300  
Lexington, KY 40507-1612

**D. Proposed Order**

Applicant must provide the court a proposed order in substantial conformance with the court's standard Order for Payment of Unclaimed Funds.

**E. Filing the Application**

The application, supporting documentation, certificate of service, and proposed order must be mailed to the court at the following address:

U.S. Bankruptcy Court  
Eastern District of Kentucky  
100 E Vine St, Ste 200  
Lexington, KY 40507