

## 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 CASB – Southern District of California from the dropdown list and enter the applicable search criteria. If you need access to a computer to perform the search, you may use the court’s public computer terminal(s) located at 325 W F St; San Diego, CA 92101.

### 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 (Form CASD1340 12/23) and serve a copy of the application on the United States Attorney for the Southern District of California located at 880 Front St Ste 6293; San Diego, CA 92101. 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(s). If the Claimant is a Successor Claimant, then the funds may be payable jointly to the Successor Claimant and As Assignee of owner(s) of record as authorized by a notarized power of attorney. In conjunction with the Application for Payment of Unclaimed Funds, Claimant’s tax identification number (TIN) must be provided to the court on a certification form signed by the Claimant to whom funds are being distributed and proof of identity.

##### A. Domestic Claimant

A Claimant who is a U.S. person<sup>1</sup> must certify their tax identification number (TIN) by submitting the form [AO 213P](#) (Request for Payee Information and TIN Certification). If a Claimant wants payment via Electronic Funds Transfer (EFT) instead of a U.S. Treasury check to be mailed, then Part 6 of form [AO 213P](#) must be completed.

If funds are to be paid jointly or to a Successor Claimant, then a U.S. Treasury check may be issued even if EFT information has been provided.

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<sup>1</sup> “U.S. person” includes: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company, or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).

**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 the [AO-215](#) form.

**2. Additional Supporting Documentation**

Requirements for additional supporting documentation vary depending on the type of Claimant(s) and whether the Claimant(s) 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 and unexpired form with a current address. If there are joint Claimants, then supporting documentation must be provided for both 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(s) 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.*, unredacted and unexpired copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- b. A notarized signature of the Owner of Record (incorporated in application).

**ii. Owner of Record - Business or Government Entity**

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

If the Owner of Record's name has changed (*e.g.*, marriage, divorce, legal name change, etc.) 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 Claimant - Individual**

- a. Proof of identity of the successor Claimant (*e.g.*, unredacted and unexpired copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- b. A notarized signature of the successor Claimant (incorporated in application); and
- c. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

**ii. Successor Claimant – Business or Government Entity**

- 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;
- c. A notarized power of attorney signed by an authorized representative of the successor entity;
- d. Proof of identity of the signing representative (*e.g.*, unredacted and unexpired copy of driver's license, other state-issued identification card, or U.S. passport that includes current address); and
- e. Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.

**iii. Deceased Claimant's Estate**

- a. Proof of identity of the estate representative (*e.g.*, unredacted and unexpired copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- b. 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, will, notarized affidavit of heirs);
- c. Copy of deceased claimant's death certificate; and
- d. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

**C. Claimant Representative**

If the Applicant is Claimant's attorney, other representative or unclaimed funds locator, the following documentation is required:

- i. Proof of identity of the representative (*e.g.*, unredacted and unexpired copy of driver's license, other state-issued identification card, or U.S. passport that includes current address);
- ii. A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting; and
- iii. Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above.

**c. Filing the Application**

The original application and supporting documentation must be mailed to the court at the following address:

Attn: Unclaimed / Finance  
U.S. Bankruptcy Court  
325 W F St  
San Diego, CA 92101

Copies and electronically signed documents will not be accepted. If copies or electronically documents are received, the application will be rejected.

**d. Notice to United States Attorney**

A copy of the application and supporting documentation must be mailed to the United States Attorney at the following address:

Office of the United States Attorney  
Southern District of California  
880 Front St Ste 6293  
San Diego, CA 92101

**e. Post-Filing Process / Hold Guideline**

If the court issues the “Order Approving Application for Payment of Unclaimed Funds”, there is a fourteen (14) day holding period from the date of the order before the funds will be disbursed to the Claimant to allow any objections.

Any party objecting to the Claimant’s request in the application shall, within fourteen (14) days after the application is filed with the Court, serve upon the Applicant and other appropriate parties and file with the court an objection to the application.

Once the holding period expires and no objections filed, the funds will be disbursed to the Claimant as listed on the application and order.

**III. Links**

[AO-213P](#)

W-9 (accessible by searching on the IRS website at: <https://www.irs.gov/>)

W-8 (accessible by searching on the IRS website at: <https://www.irs.gov/>)

[AO 215](#)