

Instructions and Application for Payment of Unclaimed Funds United States Bankruptcy Court for the Western District of Oklahoma

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 OKWB – Oklahoma Western Bankruptcy Court 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 215 Dean A McGee Ave Suite 147, Oklahoma City, OK 73102. Additionally, you may contact the Clerk’s office at (405) 609-5765 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 located on the court’s website (www.okwb.uscourts.gov) and also included on page 5 of this document.

The original application must be filed with the Clerk in accordance with [Section III](#) below and a copy must be served on the United States Attorney for the Western District of Oklahoma. 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 or payable jointly to the owner of record and funds locator if authorized by a 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.

A. Domestic Claimant

A Claimant who is a U.S. person¹ must use either the [AO-213P](#) 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](#) 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 the [AO 215](#) form.

If you have problems completing a form, please contact the Clerk’s office at (405) 609-5765.

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 identify must be provided in unredacted 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 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 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 copy of driver's license, other state-issued identification card, or U.S. passport that includes current address).

¹ “U.S. person” includes: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created 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).

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 Claimant – Individual

- a. Proof of identity of the successor Claimant (e.g., unredacted 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 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 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); and
- c. Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

C. Claimant Representative

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

- i. Proof of identity of the representative (e.g., unredacted 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.

III. 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
Western District of Oklahoma
215 Dean A. McGee Ave Suite 147
Oklahoma City, OK 73102

IV. Post-Filing Process

Any party objecting to the Claimant's request in the application shall, within twenty-one (21) days after service thereof, serve upon the Applicant and other appropriate parties and file with the court an objection to the application. If no response or objection has been filed within twenty-one (21) days from the date of filing of the application, an application which provides sufficient documentation to establish the identity of the claimant and the authority of the applicant to make a claim may be approved without a hearing. The Court, in its discretion, may set a hearing and/or require such additional evidence before issuing an order granting the application. Unclaimed Funds will be distributed once an Order has been signed. All indications of fraud will be referred to the United States Attorney for the Western District of Oklahoma.

V. Links

[AO-213P](http://www.uscourts.gov) Payee Information and TIN Certification (accessible by searching on the United States Courts website at www.uscourts.gov)

[W-9](https://www.irs.gov/) Request for Taxpayer Identification Number and Certification (accessible by searching on the IRS website at: <https://www.irs.gov/>)

[W-8](https://www.irs.gov/) Certificate of Foreign Status (accessible by searching on the IRS website at: <https://www.irs.gov/>)

[AO 215 Request to Determine Foreign Vendor Tax Payments](http://www.uscourts.gov) (accessible by searching on the United States Courts website at: www.uscourts.gov)

Fill in this information to identify the case:

Debtor 1

First Name Middle Name Last Name

Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

United States Bankruptcy Court for the: Western District of Oklahoma
(State)

Case number: _____

Form 1340 (12/23)

APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

1. Claim Information

For the benefit of the Claimant(s)¹ named below, application is made for the payment of unclaimed funds on deposit with the court. I have no knowledge that any other party may be entitled to these funds, and I am not aware of any dispute regarding these funds.

Note: If there are joint Claimants, complete the fields below for both Claimant

Amount:

Claimant's Name:

Claimant's Current Mailing Address, Telephone Number, and Email Address:

2. Claimant Information

Applicant² represents the following:

- The Claimant is the Owner of Record³ entitled to the unclaimed funds appearing on the records of the court.
- The Claimant (Successor Claimant) is entitled to the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, and below are the name(s) of the Owner of Record and all previous owner(s) of the claim:

_____.
- If the Claimant is a Successor Claimant, Applicant has sent a copy of the application to the Owner of Record and all other previous owner(s) of the claim at their current address or Applicant has enclosed a statement explaining why Applicant was not able to do so or an explanation of why doing so is not necessary.

3. Applicant Information

Applicant represents the following:

- Applicant is the Claimant.
- Applicant is Claimant's representative (e.g., attorney or unclaimed funds locator).
- Applicant is a representative of the deceased Claimant's estate.

¹ The Claimant is the party entitled to the unclaimed funds.

² The Applicant is the party filing the application. The Applicant and Claimant may be the same.

³ The Owner of Record is the original payee.

4. Supporting Documentation

Applicant has read the court's instructions for filing an Application for Unclaimed Funds and is providing the required supporting documentation with this application.

5. Notice to United States Attorney

Applicant has sent a copy of this application and supporting documentation to the United States Attorney, pursuant to 28 U.S.C. § 2042, at the following address:

Office of the United States Attorney
Western District of Oklahoma
210 West Park Avenue, Suite 400
Oklahoma City, OK 73102

6. Applicant Declaration

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and any fraud in the application or supplemental materials may result in criminal penalties, see, e.g, 18 U.S.C. § 152.

Date: _____

Signature of Applicant

Printed Name of Applicant

Address: _____

Telephone: _____

Email: _____

6. Co-Applicant Declaration (if applicable)

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and any fraud in the application or supplemental materials may result in criminal penalties, see, e.g. 18 U.S.C. § 152.

Date: _____

Signature of Co-Applicant (if applicable)

Printed Name of Co-Applicant (if applicable)

Address: _____

Telephone: _____

Email: _____

7. Notarization

STATE OF _____

COUNTY OF _____

This Application for Unclaimed Funds, dated _____ was subscribed and sworn to before me this _____ day of _____, 20____ by _____

_____ who signed above and is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument. WITNESS my hand and official seal.

[Notarial wording to be adjusted based on state requirements]

(SEAL) Notary Public _____

My commission expires: _____

7. Notarization

STATE OF _____

COUNTY OF _____

This Application for Unclaimed Funds, dated _____ was subscribed and sworn to before me this _____ day of _____, 20____ by _____

_____ who signed above and is personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument. WITNESS my hand and official seal.

[Notarial wording to be adjusted based on state requirements]

(SEAL) Notary Public _____

My commission expires: _____