

Transfer of Claim and Withdrawal of Transfer of Claim

Docketing Event

- Bankruptcy > Claims Related Matters > Transfer/Assignment of Claim (including Transfer w/Waiver of Notice)
 - Bankruptcy > Claims Related Matters > Withdrawal of Transfer of Claim
-

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[28 U.S.C. § 1930](#)

[Fed. R. Bankr. P. 3001\(e\)](#)

[Bankruptcy Court Miscellaneous Fee Schedule ¶ 20](#)

Fee: \$25

Applicable Chapters: 7, 11, 12, 13

Implemented: 2/9/2016

Last Revision: 1/23/2018 9:23:46 AM

Description

The right to a claim may be transferred from one party (the transferor) to another (the transferee) under any of the four categories of claims transfers included in Federal Rule of Bankruptcy Procedure 3001(e). Evidence of the transfer is provided by the filing of a Transfer of Claim (sometimes called an “Assignment of Claim”).

Transfers of Claims may be filed by one or both the transferor and transferee. In certain instances provided in the Federal Rules of Bankruptcy Procedure, the Court is required to provide notice of the transfer unless both the transferor and transferee signed the transfer of claim.

Transfers of Claims documents may transfer more than one claim. A fee is charged for each claim being transferred.

Occasionally, a Transfer of Claim is withdrawn by filing a Withdrawal of Transfer of Claim. Filing a Withdrawal of Transfer of Claim transfers a claim back to the previous owner and is processed the same as the initial Transfer of Claim. The Transfer of Claim should state the claim number, the amount of the claim, and the names and addresses of the transferor and the transferee. The transferee’s signature is required.

Upon the filing of a Transfer of Claim or Withdrawal of Transfer of Claim, CM/ECF will automatically update the claims register to reflect the new owner of the claim.

On the evening of filing a Transfer of Claim or Withdrawal of Transfer of Claim, an automated notice is generated and sent to the transferor and transferee. The notice provides a 21-day response time. Parties must timely object to the transfer or retransfer.

Filing Checklist

Review the Transfer of Claim to determine if:

- The document is signed;
- The filing fee is paid when required;
 - ❖ **Note:** Federal Agencies are not required to pay the filing fee.
- The claim number, the amount of the claim, and the names and addresses of the transferor and transferee are included.