



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SELF-HELP CENTER**

www.occourts.org

**CLAIM OF EXEMPTION FOR LEVY ON
PERSONAL PROPERTY**

All documents must be typed or printed neatly.

Please use black ink.

Self-Help Center Locations:

Lamoreaux Justice Center

1st Floor

341 The City Drive

Orange, CA



Central Justice Center

Room G-100

700 Civic Center Drive

Santa Ana, CA



Superior Court

Service Center

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Room 360

1275 N. Berkeley Ave.

Fullerton, CA



SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.
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FINANCIAL STATEMENT

(Wage Garnishment—Enforcement of Judgment)

NOTE: If you are married, this form must be signed by your spouse unless you and your spouse are living separate and apart. If this form is not signed by your spouse, check the applicable box on the reverse in item 9.

1. The following persons other than myself depend, in whole or in part, on me or my spouse for support:

	NAME	AGE	RELATIONSHIP TO ME	MONTHLY TAKE-HOME INCOME & SOURCE
a.			Spouse	
b.				
c.				
d.				
e.				

2. My monthly income

a. My gross monthly pay is:..... 2a. \$ _____

b. My payroll deductions are (*specify purpose and amount*):

- (1) Federal and state withholding, FICA, and SDI. \$ _____
- (2) _____ \$ _____
- (3) _____ \$ _____
- (4) _____ \$ _____

My TOTAL payroll deduction amount is (*add (1) through (4)*): b. \$ _____

c. My monthly take-home pay is (*a minus b*): c. \$ _____

d. Other money I get each month from (*specify source*):
 _____ is d. \$ _____

e. TOTAL MONTHLY INCOME (*c plus d*) e. \$ _____

3. I, my spouse, and my other dependents own the following property:

a. Cash 3a. \$ _____

b. Checking, savings, and credit union accounts (*list banks*):

- (1) _____ \$ _____
- (2) _____ \$ _____
- (3) _____ \$ _____

b. \$ _____

c. Cars, other vehicles, and boat equity (*list make, year of each*):

- (1) _____ \$ _____
- (2) _____ \$ _____
- (3) _____ \$ _____

c. \$ _____

d. Real estate equity d. \$ _____

e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.) (*list separately*):

e. \$ _____

SHORT TITLE:	LEVYING OFFICER FILE NO.	COURT CASE NO.
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4. The monthly expenses for me, my spouse, and my other dependents

- | | | |
|---|---------|--|
| a. Rent or house payment and maintenance | 4 a. \$ | |
| b. Food and household supplies | b. \$ | |
| c. Utilities and telephone | c. \$ | |
| d. Clothing | d. \$ | |
| e. Medical and dental payments | e. \$ | |
| f. Insurance (life, health, accident, etc.) | f. \$ | |
| g. School, child care | g. \$ | |
| h. Child, spousal support (prior marriage) | h. \$ | |
| i. Transportation & auto expenses (insurance, gas, repair) <i>(list car payments in item 5)</i> | i. \$ | |
| j. Installment payments <i>(insert total and itemize below in item 5)</i> | j. \$ | |
| k. Laundry and cleaning | k. \$ | |
| l. Entertainment | l. \$ | |
| m. Other <i>(specify)</i> : | | |
| | m. \$ | |

n. TOTAL MONTHLY EXPENSES <i>(add a through m)</i> :	n. \$	
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5. I, my spouse, and my other dependents owe the following debts:

CREDITOR'S NAME	FOR	MO. PAYMENTS	BALANCE OWED	OWED BY <i>(State person's name)</i>
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6. Other facts which support this Claim of Exemption (i.e., unusual medical needs, school tuition, expenses for recent family emergencies, or other unusual expenses to help your creditor and the judge understand your budget) *(describe)*: *(If more space is needed, attach page labeled Attachment 6.)*

7. An earnings withholding order is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount)*:

8. A wage assignment for support is now in effect with respect to my earnings or those of my spouse or dependents named in item 1 *(specify each person's name and monthly amount)*:

9. My spouse has signed below.
 I have no spouse.
 My spouse and I are living separate and apart.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(TYPE OR PRINT NAME OF SPOUSE)

▶

(SIGNATURE)

▶

(SIGNATURE OF SPOUSE)

EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

The following is a list of assets that may be exempt from levy on a judgment.

Exemptions are found in the United States Code (**USC**) and in the California codes, primarily the Code of Civil Procedure (**CCP**).

Because of periodic changes in the law, the list may not include all exemptions that apply in your case. The exemptions may not apply in full or under all circumstances. Some are not available after a certain period of time. You or your attorney should read the statutes.

If you believe the assets that are being levied on are exempt, file a claim of exemption form, which you can get from the levying officer.

AMOUNT OF EXEMPTIONS: A list of the amounts of exemptions from a judgment under CCP § 703.150 starting on April 1, 2004, is available from the clerk of the court and on the California Courts Web site at www.courtinfo.ca.gov. Except as otherwise provided, the dollar amounts of the exemptions will be adjusted thereafter at three-year intervals on April 1, and the adjusted amounts will become effective immediately on that date.

<u>Type of Property</u>	<u>Code and Section</u>	<u>Type of Property</u>	<u>Code and Section</u>
Accounts <i>(See Deposit Accounts)</i>		Benefit Payments <i>(cont.)</i>	
Appliances	CCP § 704.020	Relocation Benefits	CCP § 704.180
Art and Heirlooms	CCP § 704.040	Retirement Benefits and Contributions:	
Automobiles	CCP § 704.010	Private	CCP § 704.115
BART District Benefits	CCP § 704.110	Public	CCP § 704.110
	Pub Util C § 28896	Segregated Benefit Funds ...	Ins C § 10498.5
Benefit Payments:		Social Security Benefits	42 USC § 407
BART District Benefits	CCP § 704.110	Strike Benefits	CCP § 704.120
Charity	Pub Util C § 28896	Transit District Retirement Benefits (Alameda and Contra Costa Counties)	CCP § 704.110
Civil Service Retirement Benefits (Federal)	5 USC § 8346	Unemployment Benefits and Contributions	Pub Util C § 25337
County Employees Retirement Benefits	CCP § 704.110	Veterans Benefits	CCP § 704.120
Disability Insurance Benefits	Govt C § 31452	Veterans Medal of Honor Benefits	38 USC § 3101
Fire Service Retirement Benefits	CCP § 704.130	Welfare Payments	38 USC § 562
Fraternal Organization Funds Benefits	CCP § 704.110	Workers Compensation	CCP § 704.170
Health Insurance Benefits	Govt C § 32210	Boats	Welf & I C § 17409
Irrigation System Retirement Benefits	CCP § 704.130	Books	CCP § 704.160
Judges Survivors Benefits (Federal)	CCP § 704.170	Building Materials (Residential)	CCP § 704.060
Legislators Retirement Benefits	CCP § 704.130	Business:	CCP § 704.710
Life Insurance Benefits:	28 USC § 376(n)	Licenses	CCP § 704.060
Group	CCP § 704.110	Tools of Trade	CCP § 699.720(a)(1)
Individual	Govt C § 9359.3	Cars and Trucks (including proceeds)	CCP § 704.060
Lighthouse Keepers Widows Benefits	CCP § 704.100	Cash	CCP § 704.070
Longshore & Harbor Workers Compensation or Benefits	CCP § 704.100	Cemeteries:	
Military Benefits:	33 USC § 775	Land Proceeds	Health & SC § 7925
Retirement	33 USC § 916	Plots	CCP § 704.200
Survivors	10 USC § 1440	Charity	CCP § 704.170
Municipal Utility District Retirement Benefits	10 USC § 1450	Claims, Actions and Awards:	
Peace Officers Retirement Benefits	CCP § 704.110	Personal Injury	CCP § 704.140
Pension Plans (and Death Benefits):	Pub Util C § 12337	Worker's Compensation	CCP § 704.160
Private	CCP § 704.110	Wrongful Death	CCP § 704.150
Public	CCP § 704.110	Clothing	CCP § 704.020
Public Assistance	CCP § 704.170	Condemnation Proceeds	CCP § 704.720(b)
	Welf & I C § 17409	County Employees Retirement Benefits	CCP § 704.110
		Damages <i>(See Personal Injury and Wrongful Death)</i>	Govt C § 31452
		Deposit Accounts:	
		Escrow or Trust Funds	Fin C § 17410
		Social Security Direct Deposits	CCP § 704.080

EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

(Continued)

<u>Type of Property</u>	<u>Code and Section</u>	<u>Type of Property</u>	<u>Code and Section</u>
Direct Deposit Account:		Municipal Utility District	
Social Security	CCP § 704.080	Retirement Benefits	CCP § 704.110
Disability Insurance Benefits	CCP § 704.130	Peace Officers Retirement	Pub Util C § 12337
Dwelling House	CCP § 704.740	Benefits	CCP § 704.110
Earnings	CCP § 704.070	Pension Plans:	Govt C § 31913
	CCP § 706.050	Private	CCP § 704.115
	15 USC § 1673(a)	Public	CCP § 704.110
Educational Grant	Ed C § 21116	Personal Effects	CCP § 704.020
Employment Bonds	Lab C § 404	Personal Injury Actions	
Financial Assistance:		or Damages	CCP § 704.140
Charity	CCP § 704.170	Prisoner's Funds	CCP § 704.090
Public Assistance	CCP § 704.170	Property Not Subject to	
	Welf & I C § 17409	Enforcement of Money	
Student Aid	CCP § 704.190	Judgments	CCP § 704.210
Welfare (See Public		Prosthetic and Orthopedic	
Assistance)		Devices	CCP § 704.050
Fire Service Retirement	CCP § 704.110	Provisions (for Residence)	CCP § 704.020
	Govt C § 32210	Public Assistance	CCP § 704.170
Fraternal Organizations		Public Employees:	Welf & I C § 17409
Funds and Benefits	CCP § 704.130	Death Benefits	CCP § 704.110
	CCP § 704.170	Pension	CCP § 704.110
Fuel for Residence	CCP § 704.020	Retirement Benefits	CCP § 704.110
Furniture	CCP § 704.020	Vacation Credits	CCP § 704.113
General Assignment for		Railroad Retirement Benefits	45 USC § 2281
Benefit of Creditors	CCP § 1801	Railroad Unemployment	
Health Aids	CCP § 704.050	Insurance	45 USC § 352(e)
Health Insurance Benefits	CCP § 704.130	Relocation Benefits	CCP § 704.180
Home:		Retirement Benefits and	
Building Materials	CCP § 704.030	Contributions:	
Dwelling House	CCP § 704.740	Private	CCP § 704.115
Homestead	CCP § 704.720	Public	CCP § 704.110
	CCP § 704.730	Segregated Benefit Funds	Ins C § 10498.5
Housetrailer	CCP § 704.710	Servicemembers Property	Ins C § 10498.6
Mobilehome	CCP § 704.710	Social Security	50 USC § 523(b)
Homestead	CCP § 704.720	Social Security Direct Deposit	42 USC § 407
	CCP § 704.730	Account	CCP § 704.080
Household Furnishings	CCP § 704.020	Strike Benefits	CCP § 704.120
Insurance:		Student Aid	CCP § 704.190
Disability Insurance	CCP § 704.130	Tools of Trade	CCP § 704.060
Fraternal Benefit Society	CCP § 704.110	Transit District Retirement	
Group Life	CCP § 704.100	Benefits (Alameda and Contra	
Health Insurance Benefits	CCP § 704.130	Costa Counties)	CCP § 704.110
Individual	CCP § 704.100	Travelers Check Sales Proceeds	Pub Util C § 25337
Insurance Proceeds—		Unemployment Benefits and	Fin C § 1875
Motor Vehicle	CCP § 704.010	Contributions	CCP § 704.120
Irrigation System	CCP § 704.040	Uniforms	CCP § 704.060
Retirement Benefits	CCP § 704.110	Vacation Credits (Public	
Jewelry		Employees)	CCP § 704.113
Judges Survivors Benefits		Veterans Benefits	38 USC § 3101
(Federal)	28 USC § 376(n)	Veterans Medal of Honor	
Legislators Retirement		Benefits	38 USC § 562
Benefits	CCP § 704.110	Wages	CCP § 704.070
	Govt C § 9359.3	Welfare Payments	CCP § 706.050
Licenses	CCP § 695.060	Welf & I C § 17409	CCP § 706.051
	CCP § 720(a)(1)	Workers Compensation	CCP § 704.170
Lighthouse Keepers Widows		Claims or Awards	Welf & I C § 17409
Benefits	33 USC § 775	Wrongful Death Actions or	
Longshore and Harbor Workers		Damages	CCP § 704.150
Compensation or Benefits	33 USC § 916		
Military Benefits:			
Retirement	10 USC § 1440		
Survivors	10 USC § 1450		
Military Personnel—Property	50 USC § 523(b)		
Motor Vehicle (Including			
Proceeds)	CCP § 704.010		
	CCP § 704.060		

CURRENT DOLLAR AMOUNTS OF EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS
Code of Civil Procedure sections 703.140(b) and 704.010 et seq.

EXEMPTIONS UNDER SECTION 703.140(b)

The following lists the current dollar amounts of exemptions from enforcement of judgment under Code of Civil Procedure section 703.140(b).

These amounts are effective April 1, 2013. Unless otherwise provided by statute after that date, they will be adjusted at each three-year interval, ending on March 31. The amount of the adjustment to the prior amounts is based on the change in the annual California Consumer Price Index for All Urban Consumers for the most recent three-year period ending on the preceding December 31, with each adjusted amount rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(d).)

<u>Code Civ. Proc., § 703.140(b)</u>	<u>Type of Property</u>	<u>Amount of Exemption</u>
(1)	The debtor's aggregate interest in real property or personal property that the debtor or a dependent of the debtor uses as a residence, or in a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence	\$ 25,575
(2)	The debtor's interest in one or more motor vehicles	\$ 5,100
(3)	The debtor's interest in household furnishings, household goods, wearing apparel, appliances, books, animals, crops, or musical instruments, that are held primarily for the personal, family, or household use of the debtor or a dependent of the debtor (value is of any particular item)	\$ 650
(4)	The debtor's aggregate interest in jewelry held primarily for the personal, family, or household use of the debtor or a dependent of the debtor	\$ 1,525
(5)	The debtor's aggregate interest, plus any unused amount of the exemption provided under paragraph (1), in any property	\$ 1,350
(6)	The debtor's aggregate interest in any implements, professional books, or tools of the trade of the debtor or the trade of a dependent of the debtor	\$ 7,625
(8)	The debtor's aggregate interest in any accrued dividend or interest under, or loan value of, any unmaturing life insurance contract owned by the debtor under which the insured is the debtor or an individual of whom the debtor is a dependent	\$ 13,675
(11)(D)	The debtor's right to receive, or property traceable to, a payment on account of personal bodily injury of the debtor or an individual of whom the debtor is a dependent	\$ 25,575

CURRENT DOLLAR AMOUNTS OF EXEMPTIONS FROM ENFORCEMENT OF JUDGMENTS
Code of Civil Procedure sections 703.140(b) and 704.010 et seq.

EXEMPTIONS UNDER SECTION 704.010 et seq.

The following lists the current dollar amounts of exemptions from enforcement of judgment under title 9, division 2, chapter 4, article 3 (commencing with section 704.010) of the Code of Civil Procedure.

These amounts are effective April 1, 2013. Unless otherwise provided by statute after that date, they will be adjusted at each three-year interval, ending on March 31. The amount of the adjustment to the prior amounts is based on the change in the annual California Consumer Price Index for All Urban Consumers for the most recent three-year period ending on the preceding December 31, with each adjusted amount rounded to the nearest \$25. (See Code Civ. Proc., § 703.150(d).)

<u>Code Civ. Proc. Section</u>	<u>Type of Property</u>	<u>Amount of Exemption</u>
704.010	Motor vehicle (any combination of aggregate equity, proceeds of execution sale, and proceeds of insurance or other indemnification for loss, damage, or destruction)	\$ 2,900
704.030	Material to be applied to repair or maintenance of residence	\$ 3,050
704.040	Jewelry, heirlooms, art	\$ 7,625
704.060	Personal property used in debtor's or debtor's spouse's trade, business, or profession (amount of exemption for commercial motor vehicle not to exceed \$4,850)	\$ 7,625
704.060	Personal property used in debtor's and spouse's common trade, business, or profession (amount of exemption for commercial motor vehicle not to exceed \$9,700)	\$ 15,250
704.080	Deposit account with direct payment of social security or public benefits (exemption without claim, section 704.080(b)) ¹	
	• Public benefits, one depositor is designated payee	\$ 1,525
	• Social security benefits, one depositor is designated payee	\$ 3,050
	• Public benefits, two or more depositors are designated payees ²	\$ 2,275
	• Social security benefits, two or more depositors are designated payees ²	\$ 4,575
704.090	Inmate trust account	\$ 1,525
	Inmate trust account (restitution fine or order)	\$ 300 ³
704.100	Aggregate loan value of unmaturred life insurance policies	\$ 12,200

¹ The amount of a deposit account that exceeds exemption amounts is also exempt to the extent it consists of payments of public benefits or social security benefits. (Code Civ. Proc., § 704.080(c).)

² If only one joint payee is a beneficiary of the payment, the exemption is in the amount available to a single designated payee. (Code Civ. Proc., § 704.080(b)(3) and (4).)

³ This amount is not subject to adjustments under Code Civ. Proc., § 703.150.