

# **CLAIM OF EXEMPTION BANK LEVY**



**LEGAL AID  
FOUNDATION  
OF LOS ANGELES**

## **Forms**

### **Self-Help Legal Access Centers**

#### **Santa Monica**

1725 Main St.,  
Room 210  
Santa Monica, CA 90401

#### **Inglewood**

1 East Regent St.,  
Room 107  
Inglewood, CA 90301

#### **Torrance**

825 Maple Ave.,  
Room 160  
Torrance, CA 90503

#### **Long Beach**

275 Magnolia Ave.,  
Room 3101  
Long Beach, CA 90802

March 2017

This guide is designed to help you fill out the forms yourself. It is not intended to provide legal advice nor strategy as to how to complete the case. The information provided in this packet only presents options and examples. This is not a substitute for professional legal advice from an attorney.

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EJ-160

Date:

Page 1 of 1

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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 dependants

- a. Rent or house payment and maintenance ..... 4a. \$ \_\_\_\_\_
- 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) *(list car payments in item 5)* ..... i. \$ \_\_\_\_\_
- j. Installment payments *(insert total and itemize below in item 5)* ..... j. \$ \_\_\_\_\_
- k. Laundry and cleaning ..... k. \$ \_\_\_\_\_
- l. Entertainment ..... l. \$ \_\_\_\_\_
- m. Other *(specify)*:

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)

(SIGNATURE)

(TYPE OR PRINT NAME OF SPOUSE)

(SIGNATURE OF SPOUSE)



# EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

EJ-155

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 in 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](http://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.

Type of Property	Code and Section	Type of Property	Code and Section
<i>Accounts (See Deposit Accounts)</i>		<i>Benefit Payments (cont.)</i>	
Appliances .....	CCP § 704.020	Relocation Benefits .....	CCP § 704.180
Art and Heirlooms .....	CCP § 704.040	Retirement Benefits	
Automobiles .....	CCP § 704.010	and Contributions:	
BART District Benefits .....	CCP § 704.110	Private .....	CCP § 704.115
	Pub Util C § 28896	Public .....	CCP § 704.110
<i>Benefit Payments:</i>		Segregated Benefit Funds .....	Ins C § 10498.5
BART District Benefits .....	CCP § 704.110	Social Security Benefits .....	42 USC § 407
	Pub Util C § 28896	Strike Benefits .....	CCP § 704.120
Charity .....	CCP § 704.170	Transit District Retirement	
Civil Service Retirement		Benefits (Alameda and	
Benefits (Federal) .....	5 USC § 8346	Contra Costa Counties) .....	CCP § 704.110
County Employees			Pub Util C § 25337
Retirement Benefits .....	CCP § 704.110	Unemployment Benefits	
	Govt C § 31452	and Contributions .....	CCP § 704.120
Disability Insurance Benefits .....	CCP § 704.130	Veterans Benefits .....	38 USC § 3101
Fire Service Retirement		Veterans Medal of Honor	
Benefits .....	CCP § 704.110	Benefits .....	38 USC § 562
	Govt C § 32210	Welfare Payments .....	CCP § 704.170
Fraternal Organization			Welf & I C § 17409
Funds Benefits .....	CCP § 704.130	Workers Compensation .....	CCP § 704.160
	CCP § 704.170	Boats .....	CCP § 704.060
Health Insurance Benefits .....	CCP § 704.130		CCP § 704.710
Irrigation System		Books .....	CCP § 704.060
Retirement Benefits .....	CCP § 704.110	Building Materials (Residential) .....	CCP § 704.030
Judges Survivors Benefits		Business:	
(Federal) .....	28 USC § 376(n)	Licenses .....	CCP § 695.060
Legislators Retirement			CCP § 699.720(a)(1)
Benefits .....	CCP § 704.110	Tools of Trade .....	CCP § 704.060
	Govt C § 9359.3	Cars and Trucks (including	
Life Insurance Benefits:		proceeds) .....	CCP § 704.010
Group .....	CCP § 704.100	Cash .....	CCP § 704.070
Individual .....	CCP § 704.100	Cemeteries:	
Lighthouse Keepers		Land Proceeds .....	Health & SC § 7925
Widows Benefits .....	33 USC § 775	Plots .....	CCP § 704.200
Longshore & Harbor Workers		Charity .....	CCP § 704.170
Compensation or Benefits .....	33 USC § 916	Claims, Actions & Awards:	
Military Benefits:		Personal Injury .....	CCP § 704.140
Retirement .....	10 USC § 1440	Worker's Compensation .....	CCP § 704.160
Survivors .....	10 USC § 1450	Wrongful Death .....	CCP § 704.150
Municipal Utility District		Clothing .....	CCP § 704.020
Retirement Benefits .....	CCP § 704.110	Condemnation Proceeds .....	CCP § 704.720(b)
	Pub Util C § 12337	County Employees Retirement	
Peace Officers Retirement		Benefits .....	CCP § 704.110
Benefits .....	CCP § 704.110		Govt C § 31452
	Govt C § 31913	Damages (See Personal Injury	
Pension Plans		and Wrongful Death)	
(and Death Benefits):		Deposit Accounts:	
Private .....	CCP § 704.115	Escrow or Trust Funds .....	Fin C § 17410
Public .....	CCP § 704.110	Social Security Direct	
Public Assistance .....	CCP § 704.170	Deposits .....	CCP § 704.080
	Welf & I C § 17409		

# EXEMPTIONS FROM THE ENFORCEMENT OF JUDGMENTS

(Continued)

Type of Property	Code and Section	Type of Property	Code and Section
Direct Deposit Account:		Municipal Utility District	
Social Security .....	CCP § 704.080	Retirement Benefits .....	CCP § 704.110
Disability Insurance Benefits .....	CCP § 704.130		Pub Util C § 12337
Dwelling House .....	CCP § 704.740	Peace Officers Retirement	
Earnings .....	CCP § 704.070	Benefits .....	CCP § 704.110
	CCP § 706.050		Govt C § 31913
	15 USC § 1673(a)	Pension Plans:	
Educational Grant .....	Ed C § 21116	Private .....	CCP § 704.115
Employment Bonds .....	Lab C § 404	Public .....	CCP § 704.110
Financial Assistance:		Personal Effects .....	CCP § 704.020
Charity .....	CCP § 704.170	Personal Injury Actions	
Public Assistance .....	CCP § 704.170	or Damages .....	CCP § 704.140
	Welf & I C § 17409	Prisoner's Funds .....	CCP § 704.090
Student Aid .....	CCP § 704.190	Property Not Subject to	
Welfare (See Public Assistance)		Enforcement of Money	
Fire Service Retirement .....	CCP § 704.110	Judgments .....	CCP § 704.210
	Govt C § 32210	Prosthetic and Orthopedic	
Fraternal Organizations		Devices .....	CCP § 704.050
Funds and Benefits .....	CCP § 704.130	Provisions (for Residence) .....	CCP § 704.020
	CCP § 704.170	Public Assistance .....	CCP § 704.170
Fuel for Residence .....	CCP § 704.020		Welf & I C § 17409
Furniture .....	CCP § 704.020	Public Employees:	
General Assignment for		Death Benefits .....	CCP § 704.110
Benefit of Creditors .....	CCP § 1801	Pension .....	CCP § 704.110
Health Aids .....	CCP § 704.050	Retirement Benefits .....	CCP § 704.110
Health Insurance Benefits .....	CCP § 704.130	Vacation Credits .....	CCP § 704.113
Home:		Railroad Retirement Benefits .....	45 USC § 2281
Building Materials .....	CCP § 704.030	Railroad Unemployment	
Dwelling House .....	CCP § 704.740	Insurance .....	45 USC § 352(e)
Homestead .....	CCP § 704.720	Relocation Benefits .....	CCP § 704.180
	CCP § 704.730	Retirement Benefits and	
Housetrailer .....	CCP § 704.710	Contributions:	
Mobilehome .....	CCP § 704.710	Private .....	CCP § 704.115
Homestead .....	CCP § 704.720	Public .....	CCP § 704.110
	CCP § 704.730		Ins C § 10498.5
Household Furnishings .....	CCP § 704.020	Segregated Benefit Funds .....	Ins C § 10498.6
Insurance:		Servicemembers Property .....	50 USC § 523(b)
Disability Insurance .....	CCP § 704.130	Social Security .....	42 USC § 407
Fraternal Benefit Society .....	CCP § 704.110	Social Security Direct Deposit	
Group Life .....	CCP § 704.100	Account .....	CCP § 704.080
Health Insurance Benefits .....	CCP § 704.130	Strike Benefits .....	CCP § 704.120
Individual .....	CCP § 704.100	Student Aid .....	CCP § 704.190
Insurance Proceeds-		Tools of Trade .....	CCP § 704.060
Motor Vehicle .....	CCP § 704.010	Transit District Retirement	
Irrigation System .....	CCP § 704.040	Benefits (Alameda and Contra	
Retirement Benefits .....	CCP § 704.110	Costa Counties) .....	CCP § 704.110
Jewelry .....			Pub Util C § 25337
Judges Survivors Benefits		Travelers Check Sales Proceeds .....	Fin C § 1875
(Federal) .....	28 USC § 376(n)	Unemployment Benefits and	
Legislators Retirement		Contributions .....	CCP § 704.120
Benefits .....	CCP § 704.110	Uniforms .....	CCP § 704.060
	Govt C § 9359.3	Vacation Credits (Public	
Licenses .....	CCP § 695.060	Employees) .....	CCP § 704.113
	CCP § 720(a)(1)	Veterans Benefits .....	38 USC § 3101
Lighthouse Keepers Widows		Veterans Medal of Honor	
Benefits .....	33 USC § 775	Benefits .....	38 USC § 562
Longshore and Harbor Workers		Wages .....	CCP § 704.070
Compensation or Benefits .....	33 USC § 916		CCP § 706.050
Military Benefits:			CCP § 706.051
Retirement .....	10 USC § 1440	Welfare Payments .....	CCP § 704.170
Survivors .....	10 USC § 1450		Welf & I C § 17409
Military Personnel-Property		Workers Compensation	
Motor Vehicle (Including	50 USC § 523(b)	Claims or Awards .....	CCP § 704.160
Proceeds) .....	CCP § 704.010	Wrongful Death Actions or	
	CCP § 704.060	Damages .....	CCP § 704.150



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.: FAX NO. (Optional):		
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PLAINTIFF/PETITIONER:		
DEFENDANT/RESPONDENT:		
<b>DECLARATION</b>		CASE NUMBER:

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)

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☐ Other (Specify):