



Federal Exemptions

Married couples who file for bankruptcy jointly may double all federal exemptions. Federal exemption amounts are adjusted based on the Consumer Price Index every 3 years ending on April 1st (last adjustment, 2013).

The following states allow debtors to choose federal bankruptcy exemptions. Filers must claim either federal bankruptcy exemptions or state ones – no mixing and matching between the two systems.

*Arkansas, Connecticut, District of Columbia, Hawaii, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New Mexico, **Oregon**, Pennsylvania, Rhode Island, Texas, Vermont, Washington, Wisconsin*

Federal Bankruptcy Exemption Laws

Real Property

11 U.S.C. 522(d)(1); (d)(5) Homestead: Real property, including co-op or mobile home, or burial plot to \$22,975; unused portion of homestead to \$11,500 may be applied to any property.

Personal Property

11 U.S.C. 522(d)(10)(D) Alimony, child support needed for support

11 U.S.C. 522(d)(3) Animals, crops, clothing, appliances, books, furnishings, household goods, musical instruments to \$575 per item, \$12,250 total

11 U.S.C. 522(d)(9) Health aids

11 U.S.C. 522(d)(4) Jewelry to \$1,550

11 U.S.C. 522(d)(11)(E) Lost earnings payments

11 U.S.C. 522(d)(2) Motor vehicle to \$3,675

11 U.S.C. 522(d)(11)(D) Personal injury recoveries to \$22,975 (not to include pain & suffering or pecuniary loss)

11 U.S.C. 522(d)(11)(B) Wrongful death recoveries for person you depended on

11 U.S.C. 522(d)(6) Implements, books, & tools of trade to \$2,300

Wages: None

Insurance Exemptions

11 U.S.C. 522(d)(10)(C) Disability, illness or unemployment benefits

11 U.S.C. 522(d)(11)(C) Life insurance payments from policy for person you depended on, needed for support

11 U.S.C. 522(d)(8) Life insurance policy with loan value, in accrued dividends or interest, to \$12,250

11 U.S.C. 522(d)(7) Unmatured life insurance contract, except credit insurance policy

Retirement Benefits

11 U.S.C. 522(b)(3)(C) Tax exempt retirement accounts (including 401(k)s, 403(b)s, profit-sharing and money purchase plans, SEP and SIMPLE IRAs, and defined-benefit plans)

11 U.S.C. 522(b)(3)(C)(n) IRAs and Roth IRAs to \$1,245,475 per person

Public Benefits

11 U.S.C. 522(d)(11)(A) Crime victims' compensation

11 U.S.C. 522(d)(10)(A) Public assistance

11 U.S.C. 522(d)(10)(A) Social Security

11 U.S.C. 522(d)(10)(A) Unemployment compensation

11 U.S.C. 522(d)(10)(A) Veterans' benefits

Wildcard

11 U.S.C. 522(d)(5) \$1,225 of any property

11 U.S.C. 522(d)(5) Up to \$11,500 of unused homestead exemption amount, for any property

Federal Nonbankruptcy Exemptions

These exemptions are available only if you select your state exemptions. You may use them for any exemptions in addition to those allowed by your state, but they cannot be claimed if you file using federal bankruptcy exemptions.

Death and Disability Benefits

5 U.S.C. 8130 Government Employees

33 U.S.C. 916 Longshoremen and harbor workers

42 U.S.C. 1717 War risk, hazard, death or injury compensation

Retirement Benefits

5 U.S.C. 8346 Civil service employees

22 U.S.C. 4060 Foreign Service employees

38 U.S.C. 1562(c) Military Medal of Honor roll pensions

10 U.S.C. 1440 Military service employees

45 U.S.C. 231m Railroad workers

42 U.S.C. 407 Social Security

38 U.S.C. 5301 Veterans' benefits

Survivor's Benefits

28 U.S.C. 376 Judges, U.S. court and judicial center directors, administrative assistants to U.S. Supreme Court Justice

33 U.S.C. 775 Lighthouse workers

10 U.S.C. 1450 Military Service

Miscellaneous

25 U.S.C. 410 Indian lands or homestead sales or lease proceeds

25 U.S.C. 543; 545 Klamath Indian tribe benefits for Indians residing in Oregon

10 U.S.C. 1035 Military deposits in savings accounts while on permanent duty outside U.S.

38 U.S.C. 1970(g) Military group life insurance

45 U.S.C. 352(e) Railroad workers' unemployment insurance

46 U.S.C. 11110 Seamen's clothing

46 U.S.C. 11109 Seamen's wages (while on a voyage) pursuant to a written contract

15 U.S.C. 1673 Minimum 75% of disposable weekly earnings or 30 times the federal minimum hourly wage, whichever is more; bankruptcy judge may authorize more for low-income debtors