

**CALIFORNIA STATE EXEMPTION STATUTES  
(System 1)**

**FEDERAL BANKRUPTCY EXEMPTIONS ARE NOT AVAILABLE.  
CALIFORNIA HAS TWO SYSTEMS; YOU MUST SELECT ONE OR THE OTHER.  
All law references are to California Code of Civil Procedure unless otherwise noted.**

<b>ASSET</b>	<b>EXEMPTION</b>	<b>LAW PROVISION</b>
<b>HOMESTEAD</b>	Real or personal property you occupy including mobile home, boat, stock cooperative, community apartment, planned development or condo to <b>\$50,000</b> if single and not disabled; <b>\$75,000</b> for families if no other member has a homestead (if only one spouse files, may exempt one-half of amount if home held as community property and all of amount if home held as tenants in common), <b>\$100,000</b> if 65 or older, or physically or mentally disabled; <b>\$100,000</b> if 55 or older, single and earn under <b>\$15,000</b> or married and earn under <b>\$20,000</b> and creditors seek to force the sale of your home; sale proceeds exempt for 6 months after received (husband and wife may not double).	<b>704.710, 704.720, 704.730</b> <i>In re McFall, 112 B.R. 336</i> (9 <sup>th</sup> Cir. B.A.P., 1990)
	May file homestead declaration	<b>704.920</b>
<b>INSURANCE</b>	Disability or health benefits	<b>704.130</b>
	Fidelity bonds	<b>Labor 404</b>
	Fraternal unemployment benefits	<b>704.120</b>
	Homeowner's insurance proceeds for 6 months after received, to homestead exemption amount	<b>704.720(b)</b>
	Life Insurance proceeds if clause prohibits proceeds from being used to pay beneficiary's creditors	<b>Ins. 10132, Ins. 10170, Ins. 10171</b>
	Matured life insurance benefits needed for support	<b>704.100(c)</b>
	Unmatured life insurance policy loan value to <b>\$8,000</b> (husband and wife may double)	<b>704.100(b)</b>
<b>MISCELLANEOUS</b>	Business or professional licenses	<b>695.060</b>
	Inmates' trust fund to <b>\$1000</b> (husband and wife may not double)	<b>704.090</b>
	Property of business partnership	<b>Corp. 15025</b>
<b>PENSIONS</b>	County employees	<b>Gov't 31452</b>
	County firefighters	<b>Gov't 32210</b>
	County peace officers	<b>Gov't 31913</b>
	Private retirement benefits, including IRAs and Keoghs	<b>704.115</b>
	Public employees	<b>Gov't 21201</b>
	Public retirement benefits	<b>704.110</b>
<b>PERSONAL PROPERTY</b>	Appliances, furnishings, clothing and food needed	<b>704.020</b>
	Bank deposits from Social Security Administration to <b>\$2000</b> ( <b>\$3000</b> for husband and wife)	<b>704.080</b>
	Building materials to <b>\$2000</b> to repair or improve home (husband and wife may not double)	<b>704.030</b>
	Burial plot	<b>704.200</b>
	Health aids	<b>704.050</b>
	Jewelry, heirlooms and art to <b>\$5000</b> total (husband and wife may not double)	<b>704.040</b>
	Motor vehicles to <b>\$1900</b> , or <b>\$1900</b> in auto insurance if vehicle(s), lost, damaged or destroyed (husband and wife may	<b>704.010</b>

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	not double) Personal injury and wrongful death causes of action	<b>704.140(a), 704.150(a)</b>
	Personal injury and wrongful death recoveries needed for support; if receiving installments, at least <b>75%</b>	<b>704.140(b), (c), (d), 704.150(b), (c)</b>
<b>PUBLIC BENEFITS</b>	Aid to blind, aged, disabled, AFDC	<b>704.170</b>
	Financial aid to students	<b>704.190</b>
	Relocation benefits	<b>704.180</b>
	Unemployment benefits	<b>704.120</b>
	Union benefits due to labor dispute	<b>704.120(b)(5)</b>
	Workers' compensation	<b>704.160</b>
<b>TOOLS OF TRADE</b>	Tools, implements, materials, instruments, uniforms, books, furnishings, equipment, vessel, motor vehicle to <b>\$5,000</b> total; to <b>\$10,000</b> total if used by both spouses in same occupation (cannot claim motor vehicle under tools of trade exemption if claimed under motor vehicle exemption)	<b>704.060</b>
<b>WAGES</b>	Minimum <b>75%</b> of wages	<b>704.070</b>
	Public employees vacation credits; if receiving installments, at least <b>75%</b>	<b>704.113</b>
<b>WILDCARD</b>	NONE	

**CALIFORNIA STATE EXEMPTION STATUTES  
(System 2)**

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NOTE: Married couples may not double any exemptions (see *In re Talmadge*, 822 F.2d 1120 (9<sup>th</sup> Cir. 1987);  
*In re Baldwin*, 70 B.R. 612 (9<sup>th</sup> Cir. B.A.P. 1987))

<b>ASSET</b>	<b>EXEMPTION</b>	<b>LAW PROVISION</b>
<b>HOMESTEAD</b>	Real or personal property, including co-op, used as residence to <b>\$15,000</b> ; unused portion of homestead may be applied to any property	<b>703.140(b)(1)</b>
<b>INSURANCE</b>	Disability benefits	<b>703.140(b)(10 C)</b>
	Life insurance proceeds needed for support of family	<b>703.140(b)(11)(C)</b>
	Unmatured life insurance contract accrued avails to <b>\$8,000</b>	<b>703.140(b)(8)</b>
	Unmatured life insurance policy other than credit	<b>703.140(b)(7)</b>
<b>MISCELLANEOUS</b>	Alimony, child support needed for support	<b>703.140(b)(10)(D)</b>
<b>PENSIONS</b>	ERISA-qualified benefits needed for support	<b>703.140(b)(10)(E)</b>
<b>PERSONAL PROPERTY</b>	Animals, crops, appliances, furnishings, household goods, books, musical instruments and clothing to <b>\$400</b> per item	<b>703.140(b)(3)</b>
	Burial plot to <b>\$15,000</b> , in lieu of homestead	<b>703.140(b)(1)</b>
	Health aids	<b>703.140(b)(9)</b>
	Jewelry to <b>\$1,000</b>	<b>703.140(b)(4)</b>
	Motor vehicle to <b>\$2,400</b>	<b>703.140(b) 2)</b>
	Personal injury recoveries to <b>\$15,000</b> (not to include pain and suffering; pecuniary loss)	<b>703.140(b)(11)(D, E)</b>
	Wrongful death recoveries needed for support	<b>703.140(b)(11)(B)</b>
<b>PUBLIC BENEFITS</b>	Crime victim's compensation	<b>703.140(b)(11)(A)</b>
	Public Assistance	<b>703.140(b)(10)(A)</b>
	Social Security	<b>703.14 (b)(10)(A)</b>
	Unemployment compensation	<b>703.140(b)(10)(A)</b>
	Veterans' benefits	<b>703.140(b)(10)(B)</b>
<b>TOOLS OF TRADE</b>	Implements, books, and tools of trade up to <b>\$1,500</b>	<b>703.140(b)(6)</b>
<b>WAGES</b>	NONE	
<b>WILD CARD</b>	<b>\$800</b> of any property	<b>703.140(b)(5)</b>
	Unused portion of homestead or burial exemption, of any property	<b>703.140(b)(5)</b>