

Federal Bankruptcy Exemptions – Diane L. Drain, www.DianeDrain.com Effective 4/25

The following is a list of the federal exemptions as they apply to each individual filing. If both spouses file, these amounts can be **doubled** (522(m)). If only one spouse files, the non-filing spouse still has their state court exemptions. The amounts in the list of federal exemptions change every three years and will be adjusted next in 2028. 11 USC § 522(d) ALWAYS CHECK CURRENT STATUTES FOR CHANGES OR CORRECTIONS.

Homestead:

Real property, including mobile homes and co-ops, or burial plots up to \$31,575 ^(*). Unused portion of homestead, up to \$15,800 may be used for other property 522(d)(1),(5). State homestead - interest acquired in last 1215 days \$214,000 522(p) & (q)

Personal Property:

Motor vehicle, aggregate value up to \$5,025 ^(*). 522(d)(2)

Household furniture, furnishings, goods, animals, crops, clothing, appliances, books, household goods, and musical instruments up to \$800 ^(*) per item; aggregate value \$16,850 ^(*) total. 522(d)(3)

Jewelry aggregate value up to \$2,125 ^(*). 522(d)(4)

Health aids. 100% 522(d)(9)

Wrongful death recovery for person you depended upon. 100% 522(d)(11)(B)

Personal injury recovery up to \$31,575 ^(*) except for pain and suffering or for pecuniary loss. 522(d)(11)(D)

Lost earnings payments. 100% 522(d)(11)(E)

Tools of Trade:

Implements, books and tools of trade, aggregate value up to \$3,175 ^(*). 522(d)(6)

Pensions & Retirement Plans:

Retirement funds to the extent that those funds are in a fund or account that is exempt from taxation under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986. 522(d)(12)

Tax exempt retirement accounts (under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986). 522(b)(3)(C)

IRAS and Roth IRAs to \$1,512,350 ^(*). 522(n)

Public Benefits:

Public assistance, Social Security, Veteran's benefits, Unemployment Compensation. 100% 522(d)(10)(A)

Crime victim's compensation. 100% 522(d)(11)(A)

Alimony and Child Support:

Alimony and child support needed for support. 100% 522(d)(10)(D)

Insurance:

Unmatured life insurance policy except credit insurance. 522(d)(7)

Life insurance policy with loan value up to \$16,850 ^(*). 522(d)(8)

Disability, unemployment or illness benefits. 100% 522(d)(10)(C)

Life insurance payments for a person you depend on, which you need for support. 100% 522(d)(11)(C)

Wildcard:

\$1,675 ^(*) of any property, and unused portion of homestead up to \$13,950 ^(*). 522(d)(5)

^(*) As adjusted under section 104, effective April 1, 2025.