

Federal Bankruptcy Exemptions – Diane L. Drain, www.DianeDrain.com 4/19

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 have their state court exemptions. The amounts in the list of federal exemptions change every three years, and will be adjusted next in 2019. 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 \$25,150. Unused portion of homestead, up to \$12,575 may be used for other property. 522(d)(1), (5)

Personal Property:

Motor vehicle aggregate value up to \$4,000. 522(d)(2) -

Household furniture, furnishings, goods, animals, crops, clothing, appliances, books, household goods, and musical instruments up to \$625 per item; aggregate value \$13,400 total. 522(d)(3)

Jewelry aggregate value up to \$1,700. 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 \$25,150 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 \$2,525. 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 \$1,362,800. 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 \$13,400. 522(d)(8)

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

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

Wildcard:

\$1,325 of any property, and unused portion of homestead up to \$12,575. 522(d)(5)