



Step 3: Claim your bank account

► If you have a bank account that holds money, from a source other than a protected source listed previously, claim this account a separate line on the form as its own individual item. If you have multiple accounts at a bank, you may want to put the last four digits of the account number as well so that there is no confusion as to which account is exempt and which account is not exempt. For example:

1. Regions account ending in 1233 (social security only)
 2. Regions account ending in 4567.
- For the value of the account, write down the most money this account will ever have in it.

Step 4: Protect Tools you use to make a living

- On the form, list your tools or equipment you use to make a living as an item or items.
- The total value of your work tools cannot be more than \$1900. This amount does not count toward your \$10,000 limit on the front page.

Did you know????

An Affidavit of Exemption form does not protect your paycheck. If you have a job you should ask how to protect your paycheck from being garnished.

ATTENTION!!! You should file the Affidavit of Exemption as soon as a money judgment is obtained.

Note: This pamphlet cannot take the place of legal advice.



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If you have been sued and a judge has said that you owe money.....

Your belongings and money can be taken to pay the debt, WITHOUT WARNING



To Stop the court from taking your things, you need to file a **Affidavit of Exemption** form.

This brochure will tell you how.

(901) 523-8822

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Affidavit of Exemption

Sample Form

The Affidavit of Exemption form will allow you to keep some of your belongings, up to **\$10,000** worth of things.

The court cannot take:

- Your clothes
- School books
- Tools you use to earn a living as long as the tools are not worth more than \$1900
- Family pictures and bible

When to File: You need to file before the person suing you asks the court to take your belongings. You can file the form before the final judgment, but you must file the form within 10 days of the judgment being taken.

Bank Accounts: Accounts that hold ONLY money from Social Security, SSI, Families First, child support, alimony, Unemployment, VA, workers Comp and state federal city pension is protected by law. It does NOT count toward the \$10,000 limit.

Keep this money separate from money from other sources!

How to file an Affidavit of Exemption

Step 1: Fill out personal information:

- ▶ On the first line, you will fill in the Court and County. The example on this brochure is for General Sessions Court.
- ▶ The name of the person who sued you goes on the second line, as the Plaintiff
- ▶ The case number goes on the third line. This number is on the papers you got when you were sued. The Court Clerk may be able to help you find it.
- ▶ Your name goes on the fourth line, as the Defendant.

Step 2: Write down the things you want to keep:

- ▶ You can keep items valued up to \$10,000. Under the word Item, write down the items you want to keep. You may want to make a practice list first, so you can make sure you list doesn't go over the limit. This list should include your cars, furniture, appliances and any other household goods that you want to keep.
- ▶ You could list a small item but many creditors focus more on larger or more valuable items.
- ▶ Under the word Value write the amount the item is worth.
- ▶ Add a bank account that does not have money from a protected source. For the value, write down the most money this account will ever have in it and that where the money came from.
- ▶ You will sign the form on the line above the word Affiant. You are the affiant. You must sign this form in front of a notary public, or you can sign it at the court clerk's office and they can notarize it for you.

IN THE COURT OF GENERAL SESSIONS FOR
SHELBY COUNTY, TENNESSEE

Bank you Owe
Plaintiff

vs. Case No. 987654321

John Smith
Defendant

AFFIDAVIT OF EXEMPTION

Pursuant to T.C.A. §26-2-114, I, John Smith, hereby file the following list of all items which I own, both constructively and actually, which I choose and declare under oath to be exempt, along with the value of such item:

Item	Amount
1. 2008 Toyota Maxima <i>(Tag #XYZ 123, VIN: 1234SX7891ST3147)</i>	\$7,000
2. Samsung 60" Flat Screen	\$1,000
3. Kenmore washer	\$ 200
4. TruTech DVD player	\$ 75
5. Living room: couch	\$ 300
6. Bedroom: queen bed,	\$ 200
7. Bedroom: twin bed,	\$ 50
8. Bank account at Regions <i>(Social Security only)</i>	\$ 330
9. Refrigerator	\$ 150
10. Dishes	\$ 20
11. Pots and pans	\$ 10
12. Sheets and blankets	\$ 20
13. Checking at Regions, <i>(Acct ending 1234)</i>	\$ 975

Affiant

Sworn to and subscribed before me on the ____ day
of _____, 2____.

My commission expires: _____

***Make sure the total amount is not more than \$10,000.**

