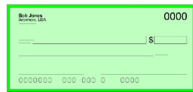


# Have you been sued?

**Act within 10 days  
to protect your  
bank accounts  
and belongings**



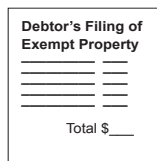
**This booklet is for you if** a judge has decided you owe someone money. The judge's decision is called a **judgment** against you. The Court can take your money or sell your things to pay the debt.

You may be able to stop this if you file legal papers listing property you need to protect. You don't need a lawyer. You can use the white paper in this booklet.

Try to file it **before** the judgment is final. Ask the Court Clerk's office when the judgment is final. In General Sessions Court, it is 10 days after the hearing. In Circuit or Chancery Court, it is 30 days.

What happens once the judgment is final? The creditor can file to take your property unless you file legal papers first. The legal papers say what property you want to protect.

**NOTE:** This information cannot take the place of advice from a lawyer. Each case is different and needs individual legal advice. Tennessee law and court rules may change from time to time. 7/15



The white paper in this booklet is called a **“Debtor’s Filing of Exempt Property.”** It protects up to \$10,000 worth of your belongings and money. Plus it can protect all the money in certain bank accounts. **AND** it can protect up to \$1,900 of tools you use to make a living. Here’s how to fill it out:

### Front side of Claim of Exemption paper:

## 1. Put who this is about

- Write the court and the county here.
- Write the person who sued you here.
- Write your name here.
- Write the number of your case here.  
The number is on the papers you got when you were sued. If you can’t find it, the Court Clerk may be able to help.
- Check the box that is true for you.
- Write your name here.

IN THE General Sessions COURT FOR Scott COUNTY, TENNESSEE.

Super Bank

Plaintiff

vs.

Case No. 123456789

John Doe

Defendant

### Debtor's Filing of Exempt Property

Check 1 box: I am filing this paper for the first time ☐ This is a change to the paper I filed earlier. ☐

I, \_\_\_\_\_, am the person who was sued (the defendant) in this case. I live in Tennessee. I am filing to protect this property and money from those who sued me (claiming this property as exempt from execution on a judgment).

I have money in the bank that came from Social Security, SSI, Unemployment, Workers Comp, AFDC/Families First, Veteran's benefits, alimony or child support, federal student loan assistance, and/or state, federal or city pension. This money is in a bank account that does not have money from any where else in it. It cannot be taken from me to pay my debt. The name of my bank is \_\_\_\_\_.

I swear that below is a true list of personal property that I own and what it is worth. The total worth of the property listed below is not more than \$10,000. Tennessee law says it cannot be taken away from me to pay a judgment against me. The money in my bank account listed above does NOT count as part of the \$10,000 total.

#### Personal Property

#### What it is worth

Cars/Trucks/Vehicles

1970 Ford Pickup

\$180

1992 Dodge Colt

\$200

Furniture and Appliances:

RCA Color TV

fully  
\$secured

Kenmore washer

\$ 200

Zenith VCR

\$ 200

Living room: couch, 2 chairs

\$ 300

Bedroom: double bed, dresser

\$ 200

Bedroom: twin bed, chair

\$ 50

GE refrigerator

\$ 100

Other Household Goods (kitchen utensils, linens, etc.)

Dishes

\$ 20

Pots and pans

\$ 10

Sheets and blankets

\$ 20

Other Items (including but not limited to bank accounts not listed above:

Best Bank

\$ 500

\$

**TOTAL** (not more than \$10,000)

**\$1,980**

## 2. Protect a bank account that has ONLY certain kinds of money

Do you have an account that holds **ONLY** money from:

- Social Security and/or
- SSI and/or
- Families First and/or
- Child support and/or
- Alimony and/or
- Unemployment and/or
- VA and/or
- Workers Comp and/or
- State, federal or city pension checks and/or
- Federal student loans or grants



**To keep that money,** put the bank name here. This tells the court this account is protected by a different law.

Do you have a disability pension or an IRS qualified pension? Ask a lawyer if they are protected and how to list them on the paper.

## Front side of Claim of Exemption paper:

IN THE General Sessions COURT FOR Scott COUNTY, TENNESSEE

Super Bank  
Plaintiff

vs. Case No. 123456789

John Doe  
Defendant

### Debtor's Filing of Exempt Property

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#### Personal Property

#### What it is worth

Cars/Trucks/Vehicles

1970 Ford Pickup  
1992 Dodge Colt

\$ 180  
\$ 200

Furniture and Appliances:

RCA Color TV  
Kenmore washer  
Zenith VCR  
Living room: couch, 2 chairs  
Bedroom: double bed, dresser  
Bedroom: twin bed, chair  
GE refrigerator

fully  
\$ secured  
\$ 200  
\$ 200  
\$ 300  
\$ 200  
\$ 50  
\$ 100

Other Household Goods (kitchen utensils, linens, etc.)

Dishes  
Pots and pans  
Sheets and blankets

\$ 20  
\$ 10  
\$ 20

Other Items (including but not limited to bank accounts not listed above:

Best Bank

\$ 500  
\$ \_\_\_\_\_

**TOTAL** (not more than \$10,000)

\$ 1,980

## 3. List the things you want to keep

List each thing you want to keep here. You don't have to list some things because the Court can never take them. They are listed on the back of this page.

Make your first list in pencil in case you have to change it. List cars, furniture and appliances you own. Are all your belongings together worth less than \$10,000? Then list everything you have.

## 4. Write what each thing is worth, used

Write a dollar amount next to each thing you listed.

- If you own something free and clear, put down what you could sell it for, used.
- If you still owe on it, subtract what you owe from what you could sell it for, used.



**Example:** You own a car.

You could sell it, used, for: \$1,000

You still owe: - \$ 800

What it's worth now: \$ 200

- If you owe more than something is worth now, write "Fully Secured."



**Example:** You owe \$400 on a TV. If you sold it, you could get only \$200. The TV is "fully secured."

**NOTE:** What if you keep paying on the TV? Some day you could sell it for more than you owe. To protect it then, you must **file a new list**.

- Bank account warning:** Only list bank accounts here that **DON'T** have the kinds of money listed in #2. If you list a bank account here, put down the most money it will ever hold. Would this amount put your list over \$10,000? Ask a lawyer how to list it.

**5. Add the numbers on the list. It can't be more than \$10,000.** If it is over \$10,000, take something off the list.

## 6. Protect tools you use to earn a living

Do you use your own tools to earn a living? List them on **BACK** of the paper.

Back of the paper:

### Tools or equipment used to earn a living (Tools of the Trade)

I also have the following items I use to earn a living. The total value of these tools is not more than \$1,900. These tools do **NOT** count as part of the \$10,000 total personal property listed on page 1. These tools cannot be taken from me to pay my debts.

Tool	What it is worth
	\$ _____
	\$ _____
	\$ _____
TOTAL	\$ _____

You need to sign this paper in front of a notary.

Sign here X

## 7. Sign the paper in front of the Court Clerk or a notary public

It is usually easiest to sign at the Clerk's office when you file the claim.



## 8. File your Claim of Exemption with the Clerk of the Court

There is a small fee for filing it.

### What if you get some new things that you did not list?

Your Claim of Exemption protects only the things you listed. What if you get new things that are not listed? What if you change banks or account numbers? Then you should file a new Claim of Exemption that lists them.

But, look at the total of your Claim on the front of the page. It must still be less than \$10,000.

**IMPORTANT:** What if another judgment is filed against you? Then you must file a separate Claim of Exemption each time. To see if there is

a judgment against you, ask the Clerk's office. Give them your name and the case number. The case number is on the paper you got from the Sheriff.

**Warning:** A Claim of Exemption does **not** protect your paycheck. Do you have a job? Then ask for our booklet on how to keep your paycheck from being garnished.

### The Court can never take:

- Your clothes
- Family Bible
- Family pictures
- Trunks
- School books
- Certain health care aids
- Tools you use to earn a living, worth up to \$1,900. Are your work tools worth more than \$1,900? Ask a lawyer how to keep them.



## Legal Aid Society

of Middle Tennessee and the Cumberland

**1-800-238-1443**

It's a free call.

Web site: [www.las.org](http://www.las.org)



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IN THE \_\_\_\_\_ COURT FOR \_\_\_\_\_ COUNTY, TENNESSEE

\_\_\_\_\_  
**Plaintiff**

vs.

Case No. \_\_\_\_\_

\_\_\_\_\_  
**Defendant**

### Debtor's Filing Of Exempt Property

**Check 1:** I am filing this paper for the first time ☐ This is a change to the paper I filed earlier. ☐

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#### Personal Property

#### What it is worth

Cars/Trucks/Vehicles:

\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

Furniture and Appliances:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

Other Household Goods (kitchen utensils, linens, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

Other Items (including but not limited to: bank accounts **not** listed above):

\_\_\_\_\_  
\_\_\_\_\_

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**TOTAL (not more than \$10,000) . . . . . \$ \_\_\_\_\_**

 Turn this paper over

**Tools or equipment used to earn a living (Tools of the Trade):**

I also have the following items I use to earn a living. The total value of these tools is not more than \$1,900. These tools do **NOT** count as part of the \$10,000 total personal property listed above. These tools cannot be taken from me to pay my debts.

Tool	What it is worth
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
<b>TOTAL (not more than \$1,900)</b>	<b>\$ _____</b>

You need to sign this paper in front of a notary.

Sign here **X**\_\_\_\_\_

Do not write below this line. The notary will fill out this part.

\_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (or Clerk)

My commission expires: \_\_\_\_\_