

**EXEMPTION CLAIM FORM
PROPERTY EXECUTION**

JD-CV-5B Rev. 10-21
C.G.S. §§ 52-321a, 52-352b, 52-361a, 52-361b

COURT USE ONLY

MXMPEX



STATE OF CONNECTICUT
SUPERIOR COURT
www.jud.ct.gov



Name and mailing address of Judgment Debtor or Attorney
(To be completed by judgment creditor or judgment creditor's attorney)

Instructions

To Judgment Creditor or Judgment Creditor's Attorney:
Complete Section 1 and follow instructions on form JD-CV-5.

To proper officer:
Complete Section 2 and follow instructions on form JC-CV-5.

To third person:
Complete Section 3 and follow instructions on form JD-CV-5.

To Judgment Debtor:
Read Section 4 and complete Section 5, if it applies to you.

Section 1 (Must be completed by Judgment Creditor or Judgment Creditor's attorney)

Address of Court (Number, street, town, zip code) Judicial District Housing Session

Name of Case

Docket number

Name of Judgment Debtor

Section 2 (Must be completed by proper officer)

Date of service of execution

Name and address of proper officer

Name and address of third person served with execution (if any)

Telephone number (if known)

Section 3 (Must be completed by third person served with execution (if any))

Date execution mailed to Judgment Debtor

Section 4 - Notice to Judgment Debtor

As a result of a judgment entered against you the attached execution has been issued against your personal property. *Some of your personal property may be exempt from execution* - Certain classes of personal property may be protected from execution by state statutes or other laws or regulations of this state or of the United States. A checklist and description of the most common classes of personal property of a natural person exempt from execution are listed on page 2 of this form.

How to claim an exemption established by law - If you want to claim that the property levied on by the levying officer is exempt by law from execution you must fill out and sign the Claim of Exemption on page 2 of this form and return this exemption claim form to the clerk of the Superior court at the address above. **The form must be received by the clerk of the Superior Court within 20 days after levy on the property.**

Upon receipt of this form, the court clerk will send you and the judgment creditor the court hearing date on your claim.

Right to request installment payment order - If you are a consumer judgment debtor, you may seek to have the court issue an installment payment order with a provision that compliance with the order prevents a levy on your property. (General Statutes § 52-356d) An installment payment order is a court order that you pay a weekly amount to the judgment creditor until the judgment is satisfied.

"Consumer Judgment" means a money judgment of less than \$5,000 against a natural person resulting from a debt or obligation incurred primarily for personal, family, or household purposes.

Setting aside the judgment - If the judgment was entered against you because you did not come to court, you may ask the court to set aside the judgment within four months of the date notice of the judgment was sent to you and upon belief that you have reasonable cause. (General Statutes § 52-212)

FOR COURT USE ONLY

ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at www.jud.ct.gov/ADA.

Section 5 - Claim of Exemption Established by Law

I claim and certify under penalty of false statement that the property described below is exempt from execution as follows:

Name and address of person holding property	Telephone number
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Property claimed to be exempt

Describe basis for exemption as established by law

Complete mailing address of Judgment Debtor	Telephone number
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Signed (*Judgment Debtor*) Date signed

Section 6 - Notice of Hearing on Exemption/Modification Claim

Date of hearing	Time of hearing _____.M.	Courtroom number	By the Assistant Clerk
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Section 7 - Order of Court

Ordered that the following item(s) are exempt from execution:

Signed (<i>Judge, Magistrate, Assistant Clerk</i>)	By Order of the Court	Date signed
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Checklist and Description of Common Exemptions Allowed by Law

(General Statutes § 52-352b)

- (1) Necessary apparel, bedding, foodstuffs, household furniture and appliances;
- (2) Tools, books, instruments, farm animals and livestock feed, which are necessary to the exemptioner in the course of his or her occupation, profession, farming operation or farming partnership;
- (3) Burial plot for the exemptioner and his or her immediate family;
- (4) Public assistance payments and any wages earned by a public assistance recipient under an incentive earnings or similar program;
- (5) Health and disability insurance payments;
- (6) Health aids necessary to enable the exemptioner to work or to sustain health;
- (7) Worker's compensation, social security, veterans and unemployment benefits;
- (8) Court approved payments for child support;
- (9) Arms and military equipment, uniforms or musical instruments owned by any member of the militia or armed forces of the United States;
- (10) Up to two motor vehicles to the value of \$7,000 in the aggregate, provided such value shall be determined as the fair market value of the motor vehicles less the amount of all liens and security interests which encumber them.
- (11) Wedding and engagement rings;
- (12) Residential utility deposits for one residence and one residential security deposit;
- (13) Any assets or interests of an exemptioner in, or payments received by the exemptioner from, a plan or arrangement described in General Statutes § 52-321a;
- (14) Alimony and support, other than child support, but only to the extent that wages are exempt from execution under General Statutes § 52-361a;
- (15) An award under a crime reparations act;
- (16) All benefits allowed by any association of persons in this state towards the support of any of its members incapacitated by sickness or infirmity from attending to his usual business; and
- (17) All moneys due the exemptioner from any insurance company on any insurance policy issued on exempt property, to the same extent that the property was exempt.
- (18) Any interest of the exemptioner in any property not to exceed in value \$1,000;
- (19) Any interest of the exemptioner not to exceed in value \$4,000 in any accrued dividend or interest under, or loan value of, any unmatured life insurance contract owned by the exemptioner under which the insured is the exemptioner or an individual of whom the exemptioner is a dependent; and
- (20) The cash surrender value of any life insurance policy issued upon the life of a citizen or resident of this state, unless the life insurance policy was assigned to or was effected for the benefit of the creditor or unless the purchase, sale, or transfer of the life insurance policy is made with the intent to defraud the creditor.
- (21) The homestead of the exemptioner to the value of \$250,000, provided value shall be determined as the fair market value of the real property less the amount of any statutory or consensual lien which encumbers it, except that, in the case of a money judgment arising out of a claim of sexual abuse or exploitation of a minor, sexual assault or other wilful, wanton or reckless misconduct committed by a natural person, to the value of \$75,000.
- (22) Irrevocable transfers of money to an account held by a debt adjuster licensed pursuant to General Statutes §§ 36a-655 to 36a-665 inclusive for the benefit of creditors of the exemptioner.