

# FLORIDA



A person who is supporting two children and working full-time at minimum wage can preserve...

	AMOUNT	CITATION	DETAILS	GRADE
Weekly wages of...	\$750	Fla. Stat. § 222.11	For head of household, the first \$750 is exempt; amounts over \$750 may be garnished only if debtor has agreed in writing.	<b>C</b>
A home worth...	No dollar cap	Fla. Const. art. X, § 4(a)(1); Fla. Stat. § 222.05	Limit on number of acres, but no dollar cap.	<b>A</b>
A car worth...	\$9,000	Fla. Const. art. X, § (4)(a)(2); Fla. Stat. §§ 222.25	This combines an earmarked exemption of \$5,000 with a \$1,000 constitutional wildcard* and \$3,000 of a \$4,000 statutory wildcard that is available to a debtor who does not claim or benefit from the state homestead exemption.	<b>D</b>
A bank account worth...	\$1,000	Fla. Const. art. X, § (4)(a)(2); Fla. Stat. §§ 222.11, 222.25	This makes use of the remaining \$1,000 of the statutory wildcard. In re Rodale, 452 B.R. 290 (Bankr. M.D. Fla. 2011) treats a “financial account” as “personal property” that can be protected by the \$4,000 wildcard. See also In re Abbott, 408 B.R. 903 (Bankr. S.D. Fla. 2009) (applying the wildcard exemption to a checking account).	<b>C</b>
Household goods worth...	No protection	Fla. Const. art. X, § (4)(a)(2); Fla. Stat. § 222.25	There is no earmarked exemption. If the wildcards are used to protect a \$5,000 car and \$1,000 in a bank account, nothing will be left to protect household goods.	<b>F</b>

\*A “wildcard” is an exemption that is not limited to a particular category of property, but can be used to protect items of the debtor’s choice.

This summary and those for other jurisdictions are based on state exemption laws, other than those that apply only in bankruptcy court. It assumes that, if the state allows a “wildcard” exemption, the debtor will use it, or most of it, first to protect a car up to \$15,000, then to protect a bank account up to \$3,000, then to protect up to \$17,000 in household goods, and then any remainder as necessary to increase the protection of a car to \$20,000. As of 2024, the federal minimum wage is \$7.25 an hour.