

APPENDIX C: SUMMARIES OF STATE BANK ACCOUNT GARNISHMENT STATUTES AND PROCEDURES

This Appendix summarizes state laws that provide a general exemption—one that is not dependent on the source of the money or other factors—for an amount in a judgment debtor's bank account. It focuses in particular on whether whatever protection the state requires is self-executing, *i.e.* whether the bank is required to protect the exempt amount only if the judgment debtor files or submits some document asserting it, as opposed to protecting it automatically.

These summaries do not address state bank account protections that are limited to funds that come from a particular source, such as Social Security benefits, or special protections for certain kinds of bank accounts, such as college savings accounts. They also do not address other procedures that judgment creditors may use to collect judgment debts, such as wage garnishment, liens on real property, or seizure of personal property. They assume a bank account that is just in the judgment debtor's name. (In some states, if the account is in two persons' names, both may be able to assert an exemption, or other protections may apply). It does not include any special exemptions that apply only to debtors in bankruptcy cases.

A creditor who has recovered a money judgment against a person is known as a "judgment creditor," and the person against whom the judgment was entered is a "judgment debtor." The process by which a judgment creditor can seize all or part of a judgment debtor's bank account to pay the judgment is known by various names, such as "trustee process," "supplemental process," "attachment," or "levy," but the most common term is "garnishment." An "exemption" is an amount that is protected from seizure.

The summaries first identify whether the state provides an exemption for money in a bank account, and the amount of the exemption. This may be an earmarked protection for a certain amount in a bank account, or a "wildcard" in a specified amount that a judgment debtor can use to protect a bank account or other property.

The summaries then list the grade awarded to that state for its bank account protection by NCLC's report [No Fresh Start: Will States Protect Families from Wage and Asset Seizures as Debt Levels Soar?](#) (December 2025), with an explanation of the grade. If the state's exemption for a bank account is a wildcard, the grade is based on certain assumptions about how the debtor would allocate that wildcard between a bank account and other property. A more detailed description of the grading system can be found in an appendix to that report.

The summaries then analyze whether the state's exemption is self-executing, looking at the statute, any court rules, and court forms. They conclude with an entry about whether

the exemption procedures are uniform across all the courts in the state, and whatever information we were able to find about filing fees and service fees for bank account garnishments in the state. Filing fee information was particularly difficult to track down, as the fee schedules we could find online were sometimes unclear about exactly what procedures the fees apply to, and sometimes appeared not to have been updated recently.

After preparing these summaries, we had them reviewed internally for accuracy. We also asked at least one practitioner in each state to check them for accuracy, and obtained responses from almost all the states. If there are any errors in these summaries, please bring them to our attention.

These summaries were prepared for the purposes of comparing states' bank account garnishment policies, not as a practice guide. Anyone dealing with a bank account garnishment should research their own state's laws and local procedures rather than relying on these summaries.

Alabama	72	Montana.....	101
Alaska.....	74	Nebraska	102
Arizona	75	Nevada	104
Arkansas.....	76	New Hampshire	105
California	77	New Jersey.....	107
Colorado.....	78	New Mexico.....	108
Connecticut.....	79	New York	110
Delaware	81	North Carolina	111
District of Columbia	82	North Dakota	112
Florida.....	83	Ohio.....	113
Georgia.....	85	Oklahoma	115
Hawaii.....	86	Oregon.....	116
Idaho.....	87	Pennsylvania	117
Illinois.....	88	Rhode Island	119
Indiana.....	89	South Carolina.....	120
Iowa	90	South Dakota.....	121
Kansas.....	91	Tennessee	123
Kentucky	92	Texas	125
Louisiana	93	Utah.....	126
Maine.....	93	Vermont	127
Maryland.....	95	Virginia.....	129
Massachusetts.....	96	Washington.....	131
Michigan	97	West Virginia	133
Minnesota	98	Wisconsin	134
Mississippi	99	Wyoming.....	136
Missouri	100		

Alabama

1. **Statute:** No earmarked exemption in statute. The state provides a \$9,400 [statutory wildcard](#) ([Ala. Code § 6-10-6](#)), adjusted for inflation every three years pursuant to [Ala. Code. § 6-10-12](#), and a \$1,000 [constitutional wildcard](#) (Ala. Const. Art. X, § 204) that a debtor can use to protect a bank account. The wildcards provide the only available protection for the debtor's car, bank account, household goods, and most other assets.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** For grading purposes, No Fresh Start assumes that the debtor would first apply the wildcards to protect a car worth \$9,400, and then apply the \$1,000 remainder to a bank account. In *In re Lively*, 583 B.R. 534 (Bankr. M.D. Ala. 2017), the court treated the statutory wildcard as available to protect a sum of money that a state court was holding for the debtor, so it appears that it can be used to protect a bank account.
3. **Is the Bank Account Protection Self Executing?:** No, Alabama does not have a self-executing exemption for a bank account. The pertinent court forms make plain that it is the debtor's responsibility to establish the right to an exemption. Unless and until a debtor takes the required steps to claim the exemption, a judgment creditor can garnish the account.
4. **Court Procedure:** No relevant rule, but court forms detailed below make clear that there is not a self-executing bank levy protection in Alabama.
5. **Court Forms:** List of Unified Judiciary Forms [HERE](#)
6. **Unified Judiciary Form:**
 - a) C-21Process of Garnishment [HERE](#). This is the form that practitioners most often see. It includes the notice to defendants in form C-24D below.
 - b) C-24D Notice to Defendant of Right to Claim Exemption From Garnishment [HERE](#). This form contemplates that local courts may create Process of Garnishment Forms, and form C-24D must be sent with those local forms, though local practitioners have never seen a local form and in practice the C-21 form which includes the C-24D notice on the back is the form used.
7. **Language Requiring Consumer to File for an Exemption:** "If you do not file a claim of exemption, your property may be turned over to the court and paid to the plaintiff on the judgment against you."

- 8. Are Rules Consistent Across Courts?:** Yes, [Rule 1](#) of the Alabama Rules of Civil Procedure provides that Rule 64A, which directs the creation of the Notice to Defendant of Right to Claim Exemption From Garnishment Form, applies to all courts.
- 9. Cost of Garnishment:** Wage or bank is [\\$30](#).

Alaska

1. **Statute:** [Alaska Stat. §§ 09.38.030, 09.38.050\(b\)](#): for individual who does not receive earnings either weekly, semi-monthly, or monthly, state exempts cash and other liquid assets available in any month of up to \$1,400 (\$2970 if debtor submits an affidavit that they are sole support of household), all amounts adjusted for inflation every two years, per [Alaska Stat. § 09.38.115](#).
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** This is an earmarked exemption, but is not self-executing. The report gives a C grade to a bank account exemption between \$1000 and \$4999 that is not self-executing.
3. **Is the Bank Account Protection Self Executing?**: No. Two booklets provided by the court system, [CIV-550 Judgment Creditor Booklet](#) and [CIV-511 Judgment Debtor Booklet](#), state that the debtor has to fill out a form to claim an exemption, and if the debtor does not do so the exemption will not be recognized. The latter booklet states, at p. 2, “Even though the law says you are entitled to an exemption, you will not be given the exemption unless you claim it. You must claim your exemptions or you will lose them.”
4. **Court Procedure:** [Alaska R. 69 - Execution](#) specifies the procedures for garnishment but does not address whether the exemption is automatic or must be claimed by the debtor.
5. **Court Forms:** [CIV-510 Notice of Levy and Notice of Right to Exemptions](#) is a form that is to be given to the judgment debtor. It instructs the debtor how to claim the exemptions, and says that they are not automatic. [CIV-515 Claim of Exemptions](#) is the form the debtor is to fill out to claim an exemption. It does not address whether the exemptions are automatic (and also seems poorly designed to claim the bank account exemption).
6. **Are Rules Consistent Across Courts?**: Rule 1 of Alaska’s rules of civil procedure provides that they apply in both the superior court and, “as far as applicable,” in the district court. The court forms are captioned for either the superior court or the district court.
7. **Cost of Garnishment:** Alaska R. Admin. 11 Fees provides:
 - a) (a)(1)(ii): “For service of any warrant, attachment, notice of levy, intent to levy or garnishment, execution or other writ: \$45.”
 - b) (9): “Fee paid to the court under Rule 9(e)(1) for issuing a writ of execution: \$25.”

Arizona

1. **Statute:** [Ariz. Rev. Stat. Ann. § 33-1126\(9\)](#): exempts \$5400 in one bank account (as of the annual inflation adjustment that took effect on January 1, 2025, pursuant to Ariz. Rev. Stat. § 11-3301). [Ariz. Rev. Stat. Ann. § 12-1580](#) provides that a judgment debtor who claims an exemption may file a written objection and request for hearing within 10 days after receipt of the bank's answer to the garnishment. [Ariz. Rev. Stat. Ann. § 12-1574\(D\)](#) requires the garnishee bank to deliver a notice and request for hearing form to the judgment debtor, along with other papers. [Ariz. Rev. Stat. Ann. § 12-1584](#) provides that, if the judgment debtor has not filed a timely objection, the court is to order the bank to pay the funds to the judgment creditor.
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a bank account exemption between \$5000 and \$11,999 that is not self-executing.
3. **Is the Bank Account Protection Self Executing?:** State law, court rules, and forms do not instruct banks to protect the exempt amount. However, advocates in the state report that on at least some occasions banks have filed answers asserting the exemption on behalf of the judgment debtor.
4. **Court Procedure:** Rule 69 of the Arizona Rules of Civil Procedure addresses enforcement of judgments but does not specify the procedures. Rule 147 of the Arizona Justice Court rules provides for a writ of garnishment, but simply says that the procedure for the writ will be as provided by law.
5. **Court Forms:** A state judicial system [website](#) provides a series of forms for use in bank account garnishment. [Form 3 Instructions to Garnishee \(Non-Earnings\)](#) states that the judgment debtor may object to a garnishment or file a claim of exemption by requesting a hearing with the court if the debtor believes that the funds are exempt. This form is specified by statute, [Ariz. Rev. Stat. Ann. § 12-1596 Forms](#). Similarly, a form that the garnishee bank may use to respond to the garnishment, [Form 4 Garnishee's Answer](#), does not include any instruction to the bank to protect the exempt amount. Nonetheless, advocates in the state report that sometimes a garnishee bank will assert the bank account exemption in its answer.
6. **Are Rules Consistent Across Courts?:** Yes. Form 3 is captioned for all courts in the state.
7. **Cost of Garnishment:**
[Justice Court Filing Fees](#): Issuance of writs = \$33.
[Superior Court Filing Fees](#): Issuance of any writ = \$35.

Arkansas

1. **Statute:** In Arkansas, the only exemption for a bank account or any other personal property outside bankruptcy is found in [Art. 9, § 2 of the Arkansas Constitution](#). It provides a \$500 wildcard for the head of a household, but this wildcard is also the only protection for a judgment debtor's car and household goods.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** For grading purposes, No Fresh Start assumes that the debtor would first apply a wildcard exemption to protect a car worth up to \$15,400, and then apply the \$1,000 remainder to a bank account. Given the small amount of the exemption, this assumption means that none of it would be available to protect a bank account. The report gives an F grade to any state that protects less than \$500 in a bank account.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** Court rules do not address the procedure for bank account garnishments, but a statute, [Ark. Code Ann. § 16-110-402](#), provides that the judgment debtor may claim an exemption by filing an exemption claim with the clerk of court. If the judgment creditor files a statement contesting the exemption, the court must hold a hearing on the claim.
5. **Court Forms:** There do not appear to be uniform statewide forms for garnishments. A form from one county, [Craighead County Writ](#), explains what exemptions are and states that the judgment debtor has "the right to ask for a hearing to claim these or other exemptions," making it clear that the \$500 exemption is not self-executing.
6. **Are Rules Consistent Across Courts?:** We found nothing in the statutes or court rules regarding garnishment that differentiates between courts. However, it appears that court forms for garnishment are created county-by-county.
7. **Cost of Garnishment:** [Ark. Code Ann. § 16-17-126](#) specifies that a district court clerk is to charge a \$10 fee for issuing a writ of garnishment. However, the filing fee for a writ of garnishment in Pulaski County, the [most populous county](#) in the state, appears to be [\\$20](#) ([+\\$50](#) if delivered by the sheriff or process server).

California

1. **Statute:** [Cal. Civ. Proc. Code § 704.220\(a\)](#): “Money in the judgment debtor’s deposit account in an amount equal to or less than the minimum basic standard of adequate care for a family of four for Region 1, established by Section 11452 of the Welfare and Institutions Code and as annually adjusted by the State Department of Social Services pursuant to Section 11453 of the Welfare and Institutions Code, is exempt without making a claim.” Amount is [\\$2,244](#) as of July 1, 2025, and is adjusted annually. See [EJ-156 Current Dollar Amounts of Exemptions](#).
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a self-executing protection for \$1000 to \$2999 in a bank account. (It also gives a B grade to an exemption between \$5000 and \$11,999 that is not self-executing).
3. **Is the Bank Account Protection Self Executing?:** Yes. Statute is explicit that the amount is exempt without the need for a claim. In addition, [Cal. Code Civ. Proc § 699.540\(c\)\(3\)](#) refers to the exemption as “automatic.”
4. **Court Procedure:** The procedures for bank account garnishment are set by statute, as part of the California Code of Civil Procedure. [Cal. Code Civ. Proc. §§ 700.010](#) and [700.140](#) govern service of the writ of execution and notice of levy on the judgment debtor and any third party in whose name the account stands. The California Rules of Civil Procedure, which are adopted by the Judicial Council of California, do not address the procedures for garnishment.
5. **Court Forms:**
 - a) [EJ-150 Notice of Levy](#) (containing instructions for the garnishee and informing the judgment debtor that “there are automatic exemptions that financial institutions should apply to a deposit account”).
 - b) [EJ-152 Memorandum of Garnishee](#) (form for garnishee to fill out and return)
 - c) [EJ-156 Current Dollar Amounts of Exemptions](#)
 - d) [EJ-157 Ex Parte Application for Order on Deposit Exemption](#) (form for judgment creditor to seek an ex parte hearing about what account to levy on when a debtor has multiple accounts).
6. **Are Rules Consistent Across Courts?:** Yes. The statute does not differentiate between different courts.

7. **Cost of Garnishment:** A self-help guide issued by the Judicial Branch of California states that a judgment creditor seeking to garnish a bank account must obtain a Writ of Execution for a fee of [\\$40](#), and pay the sheriff a fee, usually [\\$40](#), to serve the writ.

Colorado

1. **Statute:** [Colo. Rev. Stat. § 13-54-102\(1\)\(w\)](#): “The following property is exempt from levy and sale under writ of attachment or writ of execution...[u]p to two thousand five hundred dollars cumulative in a depository account or accounts in the name of the debtor.”
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** This is an earmarked exemption, but is not self-executing. The report gives a C grade to a bank account exemption between \$1000 and \$4999 that is not self-executing.
3. **Is the Bank Account Protection Self Executing?** No. The pertinent court forms make plain that it is the debtor’s responsibility to establish the right to an exemption. Unless and until a debtor takes the required steps to claim the exemption, a judgment creditor can garnish the account. A court [brochure](#) about garnishment makes it clear that the exemption is lost if the judgment debtor does not claim it by filing a form within 14 days.
4. **Court Procedure:** [Rule 103\(6\)\(b\)\(1\)](#) of the Colorado Rules of Civil Procedure provides that a judgment debtor who claims an exemption must file a claim of exemption within 14 days. Rule 103(2)(g)(2) allows the court to order the bank to turn over the garnished amount if the debtor does not file a claim of exemption within 14 days. Rule 403 of the Colorado Rules of County Court Civil Procedure is substantively identical.
5. **Court Forms:** The [Writ of Garnishment with Notice of Exemption and Pending Levy](#) form informs the debtor of the bank account exemption, and says “[i]f the money or property which is being withheld from you includes any “exempt property,” you must file within 14 days of receiving this notice a written Claim of Exemption with the Clerk of the Court describing what money or property you think is “exempt property” and the reason that it is exempt. YOU MUST USE THE APPROVED FORM attached to this Writ or a copy of it. When you file the claim, you must immediately deliver, by certified mail, return receipt requested, a copy of your claim to the Garnishee (person/place that was garnished) and to the Judgment Creditor’s attorney, or if none, to the Judgment Creditor at the address shown on this Writ with Notice.” The attached form in question, the [Claim of Exemption](#),

prompts the debtor to describe the property being held, its value, the amount that they claim to be exempt, and a space that begins, “I claim the Property is Exempt because (Please write the Exemption(s) listed in the [Writ of Garnishment with Notice](#), if applicable):...”

6. **Are Rules Consistent Across Courts?**: Yes. The general rules of civil procedure and the rules for county courts are substantively identical.
7. **Cost of Garnishment:** [This](#) document states that the fee for a garnishment is \$45. It does not break down the amount based on whether it is a wage or bank account garnishment. It appears to be applicable to all courts in the state.

Connecticut

1. **Statute:** [Conn. Gen. Stat. §§ 52-352b\(18\), 52-367b\(c\)\(2\), \(n\), \(o\).](#)
 - a) [§ 52-352b\(18\)](#): “The following property of any natural person shall be exempt:... Any interest of the exemptioner in any property not to exceed in value one thousand dollars.”
 - b) [Conn. Gen. Stat. § 52-367b\(c\)\(2\)](#): “the financial institution shall leave in the judgment debtor's account (A) the full amount of electronic direct deposits that are readily identifiable as exempt federal veterans' benefits, Social Security benefits, [SSI, Railroad Retirement benefits, unemployment compensation, and certain child support payments] ...and (B) the amount of electronic direct deposits, not to exceed one thousand dollars, that are readily identifiable as wages, provided such deposits were made to the judgment debtor's account during the look-back period of two months preceding the date that the execution was served on the financial institution, or, with regard to federal benefits, such greater period as required by federal law. If no such deposits have been made to the judgment debtor's account during the look-back period, or if such readily identifiable funds are less than one thousand dollars, the financial institution shall leave in the judgment debtor's account as exempt pursuant to subdivision (18) of section 52-352b the lesser of the account balance or one thousand dollars in the aggregate.”
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a bank account exemption with a self-executing protection for \$1000 to \$2999. (It also gives a B grade to an exemption between \$5000 and \$11,999 that is not self-executing.)

- 3. Is the Bank Account Protection Self Executing?:** Yes.
- 4. Court Procedure:** Neither the general civil rules for the Superior Court and for the Superior Court's small claims division sets forth procedures for execution on judgments. See Connecticut Rules for the Superior Court, § 17-52, Executions ("Pursuant to the General Statutes, the judgment creditor or the attorney for the judgment creditor may file a written application with the court for an execution to collect an unsatisfied money judgment. Both refer instead to Connecticut's statutes."); Conn. Small Claims Rules, § 24-32, Execution in Small Claims Actions ("Pursuant to the General Statutes, the judgment creditor or the representative of the judgment creditor may file with the court a written application on forms prescribed by the Office of the Chief Court Administrator for an execution to collect an unsatisfied money judgment.").
- 5. Court Forms:** [JD-CV-24 Financial Institution Execution Proceedings - Judgment Debtor Who is a Natural Person, Application and Execution](#), ¶3, instructs the financial institution to leave \$1000 in the judgment debtor's bank account.
- 6. Are Rules Consistent Across Courts?:** Yes. The relevant statute, [Conn. Gen. Stat. § 52-367b\(c\)\(2\)](#), is not written to be limited to a specific court. Question 24 on a court-created [webpage](#) instructs holders of small claims judgments to use the same form for executing on a bank account as the general branch of the Superior Court.
- 7. Cost of Garnishment:** \$105 (specified by [Conn. Gen. Stat. § 52-367b\(b\)\(1\)](#)). In addition, if the execution is successful, the judgment creditor must pay the officer serving the execution 15% of the amount collected or \$50, whichever is greater. [Conn. Gen. Stat. § 52-261\(a\)\(F\)](#).

Delaware

1. **Statute:** [Del. Code Ann. tit. 10, § 3502\(b\)](#) (“Banks, trust companies, savings institutions and loan associations, except only as to a wage attachment against the wages of an employee of the bank, trust company, savings institution or loan association, shall not be subject to the operations of the attachment laws of this State.”). Court decisions confirm this conclusion: *see, e.g., Tekstrom, Inc. v. Savla*, 2007 WL 3231632, at *3 (Del. Com. Pleas Oct. 25, 2007) (“Both [parties] are correct in their assertion that ‘[the judgment creditor] cannot attach any funds held by PNC Bank to satisfy the judgment.’”).
2. **No Fresh Start:**
 - a) **Grade:** A
 - b) **Explanation of Grade:** The report gives an A grade to a state that protects \$12,000 or more or has a self-executing protection for at least \$3,000. Since Delaware bans bank account garnishment, it qualifies for an A.
3. **Is the Bank Account Protection Self Executing?:** Yes. Bank account garnishments are banned altogether.
4. **Court Procedure:** There are no court rules providing for garnishment of a bank account.
5. **Court Forms:** Superior Court Rules of Civil Procedure, Forms 38 (Levy Fieri Facias) and 45 (Attachment Fieri Facias (Garnishment), are generic forms for attachment and garnishment of property, but do not mention bank accounts. The Delaware court system has issued a [guide](#) describing steps a judgment creditor can take to collect a judgment issued by the Justice of the Peace Courts, but does not mention the possibility of garnishing the judgment debtor’s bank account.
6. **Are Rules Consistent Across Courts?:** Yes. The prohibition of bank account garnishment is written to apply to all banks and is not confined to any particular court.
7. **Cost of Garnishment:** N/A.

District of Columbia

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but [D.C. Code § 15-501\(a\)\(3\)](#) provides two wildcard exemptions for “the debtor's aggregate interest in any property, not to exceed \$850 in value, plus up to \$8,075 of any unused amount of the exemption provided under” the homestead exemption.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** For grading purposes, No Fresh Start assumes that the debtor would first apply \$7925 of these wildcards to supplement an earmarked protection of \$2575 for a car, and then apply the \$1000 remainder to a bank account. The report gives a C to a state that exempts \$1000 to \$4999 or has a self-executing protection of at least \$500, so the District of Columbia rates a C.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** [Civil Rule 69-1](#) requires the bank to protect certain direct-deposited exempt benefits, but does not require the bank to take any steps to protect general funds in the judgment debtor's account. Instead, the rule provides that a party may raise a claim that funds are exempt from attachment by filing a motion claiming an exemption and requesting a hearing.
5. **Court Forms:** The court system provides a [Superior Court form](#) Motion for Claim of Exemption and Request for Hearing and a similar [small claims form](#). Both the small claims form and a set of [instructions](#) that the court system provides for filling out the Superior Court form state that the judgment debtor must pay a fee (waivable if the debtor is unable to pay) to file the motion. The small claims form states that the fee is \$10. The Superior Court version does not state the amount but it is probably the \$20 fee for a motion listed on the District's fee schedule.
6. **Are Rules Consistent Across Courts?:** Yes. The Superior Court is the trial court of general jurisdiction in D.C. and is governed by [Civil Rule 69-1](#), discussed above. [Rule 2](#) of the D.C. Superior Court Rules for the Small Claims and Conciliation Branch provides that Superior Court Civil Rule 69-1 applies equally in the small claims branch.
7. **Cost of Garnishment:** The [fee](#) for filing a writ of attachment is \$20 in superior court and \$10 in the small claims branch.

Florida

1. **Statute:** No earmarked exemption, but two wildcard exemptions: [Fla. Const. art. X, § \(4\)\(a\)\(2\)](#); Fla. Stat. § [222.25](#).
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) Explanation of Grade: Florida does not provide an earmarked exemption for a bank account. Instead, it provides two wildcard exemptions that can be used for a bank account: the state constitution provides a \$1,000 exemption in any personal property, and a state statute provides an additional \$4,000 exemption in personal property to a debtor who does not claim or receive the benefits of the state homestead exemption. For grading purposes, No Fresh Start assumes that the debtor would first apply \$4,000 of these wildcards to supplement an earmarked protection of \$5,000 for a car, and then apply the \$1,000 remainder to a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so Florida rates a C.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:**
 - a) [Rule 1.570 of the Florida Rules of Civil Procedure, Enforcement of Final Judgments](#), states that enforcement shall be “by execution, writ of garnishment, or other appropriate process or proceedings,” but does not otherwise specify the procedure.
 - b) [Rule 1.560 of the Florida Rules of Civil Procedure, Discovery in Aid of Execution](#), allows a judgment creditor to obtain an order requiring a judgment debtor to fill out [form 1.977](#), listing the judgment debtor’s assets and income in detail.
5. **Court Forms:** [Fla. Stat. § 77.041](#) requires a notice of a garnishment to be mailed to the judgment debtor, and specifies its language, which confirms that the wildcard exemptions are not self-executing: “IF AN EXEMPTION FROM GARNISHMENT APPLIES TO YOU AND YOU WANT TO KEEP YOUR WAGES, MONEY, AND OTHER PROPERTY FROM BEING GARNISHED, OR TO RECOVER ANYTHING ALREADY TAKEN, YOU MUST COMPLETE A FORM FOR CLAIM OF EXEMPTION AND REQUEST FOR HEARING AS SET FORTH BELOW AND HAVE THE FORM NOTARIZED. IF YOU HAVE A VALID EXEMPTION, YOU MUST FILE THE FORM WITH THE CLERK’S OFFICE WITHIN 20 DAYS AFTER THE DATE YOU RECEIVE THIS NOTICE OR YOU MAY LOSE IMPORTANT RIGHTS. “ For a sample of this form, see [Miami-Dade CT. 862 - Claim of](#)

Exemption. The statute also provides that, if the judgment creditor does not file a sworn statement answering the debtor's claim of exemption, the clerk must automatically dissolve the writ of garnishment, and no hearing on the claim of exemption is required.

6. Are Rules Consistent Across Courts?: The constitutional and statutory exemption provisions are consistent across courts. The constitutional exemption applies to "any court," and the statutory exemption states that the specified types of property are exempt, without limiting the scope of the statute to any particular court.

7. Cost of Garnishment:

- a) Filing Fees: Garnishment, attachment, replevins and distress - \$85.
- b) Plus Miami-Dade Sheriff's Office Service Fee: \$40.
- c) Plus \$100 deposit for garnishee and \$3 Clerk Fee.

Georgia

1. **Statute:** Georgia does not have an earmarked exemption for a bank account. It has a \$5000 wildcard exemption, but it is unclear whether any part of it can be used to protect a bank account. [Ga. Code Ann. § 44-13-1](#).
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Georgia has a \$5,000 wildcard exemption - an exemption that a judgment debtor can apply to protect any “real or personal property” of the debtor’s choice. This language might be broad enough to allow the debtor to apply the exemption to protect money in a bank account, but we could not find any cases in Georgia doing so, and some language in the statute suggests that it may apply only to tangible property that can be sold. In addition, it is not included on a [list of garnishment exemptions](#) posted by the state attorney general. If this wildcard were available, under our grading criteria we would assume that a debtor would apply \$4000 of it to protect a car, and only the remaining \$1000 to protect a bank account.
3. **Is the Bank Account Protection Self Executing?:** No. Nothing in the state’s exemption statutes states that it is self-executing. [Ga. Code Ann. § 18-4-15](#) states that a judgment debtor may file a claim to assert an exemption, and, [Ga. Code Ann. § 18-4-20](#) provides that, if no claim has been filed within a stated time limit, the garnished money is to be distributed to the judgment creditor.
4. **Court Procedure:** The procedures for garnishment are set forth by statute, [Ga. Code Ann. § 18-4-1 to 18-4-26](#), discussed above..
5. **Court Forms:** Court forms are created by statute. A form titled “Notice to Defendant of Right Against Garnishment of Money, Including Wages, and Other Property,” specified by [Ga. Code Ann. § 18-4-82](#), states that a judgment debtor “must” file a claim form to protect property from garnishment, and may lose the right to claim an exemption if the claim form is not filed within the time allowed.
6. **Are Rules Consistent Across Courts?:** Yes. The statutes governing exemptions and garnishment procedures in Georgia are not phrased as applying just to particular levels of the court system.
7. **Cost of Garnishment:** The filing fee for wage or bank garnishment in [Fulton County](#), the state’s most populous county, is \$60 plus \$13 for marshal service.

Hawaii

1. **Statute:** Hawaii does not provide any exemption that can be used to protect general funds in a bank account. [Haw. Rev. Stat. § 651-121](#), the state's main exemption statute, provides modest exemptions for household goods, clothing, jewelry, a motor vehicle, tools, a burial plot, insurance proceeds, and recently-paid wages, and the state also has a minimal homestead exemption, but there is no exemption that can be applied to a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Hawaii is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** N/A
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** [\\$30](#) for Sheriff to serve Garnishee Summons.

Idaho

1. **Statute:** Idaho does not provide any exemption that can be used for general funds in a bank account. [Idaho Code Ann. §§ 11-601 to 11-609](#) lists the available exemptions and does not include an earmarked exemption for money or a bank account. The state provides a \$1,500 wildcard exemption, but it can be used only to protect “tangible personal property.” [Idaho Code Ann. § 11-605\(10\)](#). The [Notice of Exemptions](#) that must be served on the judgment debtor at the time of a garnishment includes a list of available exemptions, and that list does not identify any exemption that is available to protect a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** The state does not provide any exemption that can be used to protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The [Notice of Exemptions](#) that must be served on the judgment debtor at the time of a garnishment, explaining how to object to a garnishment, allows the judgment debtor to assert that funds being garnished are exempt. It includes a form that lists four types of funds that are exempt because of their source (e.g., public assistance and Social Security benefits), but does not list any general exemption for money in a bank account that a debtor could assert. It warns the debtor, “If you fail to return a Claim of Exemption Form to the sheriff within fourteen (14) days of the mailing/service of this notice, your wages, money, benefits and personal property will be released to pay the judgment,” making it clear that Idaho law treats even the protections for these types of benefits as non-self-executing.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** Garnishment fees in Idaho appear to be set county-by-county. The fee for regular service of a writ of garnishment on a financial institution by first class mail in Ada County, the state’s most populous county, is [\\$55](#).

Illinois

1. **Statute:** No earmarked exemption, but state provides a \$4000 wildcard. [735 Ill. Comp. Stat. § 5/12-1001](#).
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** For grading purposes, No Fresh Start assumes that the debtor would first apply most of a wildcard exemption to protect a car (up to \$15,000), but, as long as the wildcard is \$3000 or more, would set aside \$1000 to protect a bank account. Applying this standard to Illinois, after applying \$3000 of the \$4000 wildcard to protect a car, the debtor would be able to apply \$1000 to protect a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so Illinois rates a C.
3. **Is the Bank Account Protection Self Executing?:** No. The debtor must request a court hearing to assert an exemption to protect a bank account. As of January 1, 2026, a [new law](#) provides that \$1000 of the \$4000 wildcard exemption is to be automatically applied to a bank account, but only until the return date of the garnishment, at which time the judgment debtor must claim the exemption or lose it.
4. **Court Procedure:** [735 Ill. Comp. Stat. § 5/12-711](#) provides that the judgment debtor "may request a hearing ... to seek exemptions" by notifying the clerk of court.
5. **Court Forms:** In Illinois, each county adopts its own court forms. The [Garnishment Summons](#) for Cook County, the state's most populous county, states that the debtor must go to court to tell the judge that money in the bank account is exempt, and, if the debtor does not, the money will be turned over to the creditor.
6. **Are Rules Consistent Across Courts?:** Neither [735 Ill. Comp. Stat. § 5/12-1001](#), which provides the \$4000 wildcard, nor [735 Ill. Comp. Stat. § 5/12-711](#), which provides that the judgment debtor may request a hearing to assert an exemption, is limited to any particular level of the state court system.
7. **Cost of Garnishment:** In Cook County, the cost is \$2 to the [clerk of court](#), plus \$60 to [Cook County Sheriff's Office](#) for service of the garnishment summons.

Indiana

1. **Statute:** [Ind. Code § 34-55-10-2\(c\)\(3\)](#) exempts cash or a deposit account up to \$450 (originally \$300, but adjusted for inflation on a six-year schedule, as required by Ind. Code Sec. 34-55-10-2.5 and reported at [750 Ind. Admin. Code § 1-1-1](#)).
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Indiana is graded F because it provides an exemption of less than \$500 that is not self-executing.
3. **Is the Bank Account Protection Self Executing?:** No. Under [Ind. Code § 28-9-4-2](#), the bank is required to send the depositor a notice one day after placing a hold on the judgment debtor's bank account. [Ind. Code § 28-9-3-4\(d\)\(3\)](#) specifies that the form must state that a judgment debtor who believes that some or all of the funds in the deposit account on which a hold may have been placed are exempt is entitled to a prompt hearing for the purpose of presenting evidence to establish exemptions and seek removal of the hold. It also requires the notice to include a detachable form to request a hearing. See also [Ind. Code § 28-9-3-5](#) (providing a form notice). The reference to requesting a hearing and establishing an exemption make it fairly clear that a judgment debtor must act affirmatively to assert an exemption.
4. **Court Procedure:** The relevant procedures are set out by statute rather than court rule. See [Ind. Code §§ 28-9-3-4, 28-9-3-4\(d\)\(3\)](#), and [28-9-4-2](#) (discussed above).
5. **Court Forms:** [Ind. Code § 28-9-3-5](#) (providing a form notice), discussed above.
6. **Are Rules Consistent Across Courts?:** The exemption statute and the statutory procedures are not written in a way that would limit them to a particular level of the court system.
7. **Cost of Garnishment:** There is no fee for service on the first three garnishee defendants, but after that there is a \$10 fee for each additional garnishee. Ind. Code § 33-37-5-28; Indiana [Trial Court Fee Manual](#).

Iowa

1. **Statute:** [Iowa Code 627.6\(14\)](#) provides a \$1000 wildcard that can be used to protect cash, a bank account, or any personal property).
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** For grading purposes, No Fresh Start assumes that a debtor would use a wildcard exemption of less than \$3000 to protect a car (up to \$15,000). Although Iowa provides a \$1000 wildcard exemption that can be used to protect a bank account, No Fresh Start assumes that the debtor would use it to protect a car, leaving no protection for money in a bank account and therefore earning an F grade.
3. **Is the Bank Account Protection Self Executing?:** No. An Iowa statute, and a court-created form, require the debtor to file papers in court to claim an exemption.
4. **Court Procedure:** An Iowa statute, Iowa Code § 642.14A, requires the debtor to be given notice of the garnishment. The notice must state that the debtor “has the right to claim funds or other property exempt from execution or garnishment and a right to request and have a timely hearing before a judge to claim such exemptions.” It also must state that, if the debtor does not file a motion or other appropriate pleading to claim and exemption, the debtor may lose such rights.
5. **Court Forms:** The Iowa court system provides [Form 3.19 - Notice of Garnishment](#) for use in the state’s small claims courts. It states that, to assert an exemption, the debtor must file a [Motion to Quash Garnishment](#) Form 3.20), an [Affidavit of Property Exempt from Execution](#) (Form 3.21), an Answer, or other appropriate pleading within 10 days, and that, if the debtor does not do so, a court order will be entered condemning the funds and the funds will be applied against the judgment.
6. **Are Rules Consistent Across Courts?:** Both the statute creating the wildcard exemption and the statute requiring the debtor to file papers in court to claim the exemption are written in a way that would apply to all levels of the judicial system. The court forms are specific to cases in the state trial courts’ small claims divisions, however.
7. **Cost of Garnishment:** [Sheriff’s Fee](#) of \$67.68 (for Polk County, Iowa’s most populous county).

Kansas

1. **Statute:** The state does not provide any exemption that can be used to protect general funds in a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Kansas provides neither an earmarked exemption for a bank account nor a wildcard exemption that could be used to protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:** The basic procedures for bank account garnishment are set by statute in Kansas rather than by court rule. A judgment debtor must be given a notice stating that the judgment debtor has the right to request a hearing to assert exemptions and bears the burden to prove that any funds in the bank account are exempt. [Kan. Stat. Ann. §§ 60-735](#) (applicable to district courts), [61-3508](#) (similar procedure for limited actions, including small claims cases, in district courts).
5. **Court Forms:** The Kansas Judicial Council provides a [Notice to Judgment Debtor \(nonearnings\)](#) for civil cases and a [similar form](#) for limited actions. Both state that a debtor who wishes to claim an exemption for any funds in an account may file a request for a hearing with the court. The forms also state that the burden is on the judgment debtor to prove that any funds in the bank account qualify as exempt. The forms list certain kinds of deposits, such as Black Lung benefits, that are exempt, but does not identify any way to exempt general deposits. These forms and the statutes cited above make it clear that Kansas law treats even the protections for these types of benefits as non-self-executing.
6. **Are Rules Consistent Across Courts?:** Kansas statutes address garnishment procedures in limited actions (Chapter 61) cases (including small claims cases) separately from the procedure in general civil (Chapter 60) cases (see above), but the garnishment procedures are substantively the same.. Individual judicial districts also set their own rules, but a spot check of those rules did not reveal any that made exemptions self-executing.
7. **Cost of Garnishment:** [Order of Garnishment](#): \$20 under Chapter 60, [\\$12.50](#) under Chapter 61; Sheriff's Fee: [\\$15](#).

Kentucky

1. **Statute:** Kentucky does not provide any exemption that can be used to protect general funds in a bank account. There is a \$1,000 wildcard exemption, but it applies only when the debtor has filed for bankruptcy, [Ky. Rev. Stat. Ann. § 427.160](#), and there is no earmarked exemption for a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Kentucky is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure.** A Kentucky statute, [Ky. Rev. Stat. Ann. § 425.501](#), states that, in the case of a garnishment, “[t]he judgment debtor may appear and claim the exemption of any property ... that is exempt from execution.” An [Order of Garnishment](#) form identifies certain types of funds, such as Social Security and workers compensation benefits, that are exempt, and instructs the debtor that “you must claim and prove any applicable exemption,” making it clear that Kentucky law treats even the protections for these types of benefits as non-self-executing.
5. **Court Forms:** See the [Order of Garnishment](#) form, discussed above. The Kentucky court system has also published an [Affidavit to Challenge Garnishment](#) form for the judgment debtor to use to claim an exemption.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** Ky. Rule of Civil Procedure [3.02\(2\)\(i\)](#) provides that the fee for issuing garnishments is \$15. [Ky. Rev. Stat. Ann. § 64.080](#) states that the sheriff may charge \$5 for summoning a garnishee. In addition, [Ky. Rev. Stat. Ann. § 425.501\(3\)](#) requires the judgment creditor to pay the bank a \$10 fee for processing the garnishment.

Louisiana

1. **Statute:** Louisiana does not provide any exemption that can be used to protect general funds in a bank account. It provides neither an earmarked exemption nor a wildcard that can be used to protect an amount in a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Louisiana is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The Louisiana Supreme Court has a document entitled [Uniform Forms Committee for Louisiana City and Parish Courts](#) but it does not appear to include forms for garnishment of a bank account.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** The costs for a Petition for Garnishment appear to vary by city and parish. For instance, in [Baton Rouge City Court](#), located in the most populous parish in the state, the fee for a Petition for Garnishment is \$205 and the fee for a Garnishment Judgment is \$25. The filing fee for a Petition for Garnishment in the [Civil District Court for Orleans Parish](#) (which covers the City of New Orleans) is \$289.50.

Maine

1. **Statute:** [Me. Rev. Stat. Ann. tit. 14, § 4422\(17\)](#), “Cash; bank account,” exempts “[t]he debtor's interest in cash or in deposit accounts or other accounts of a financial institution, equal to any amount in cash or in the deposit account or other account of financial institutions, but not exceeding” \$3,550 (originally \$3,000, but adjusted for inflation every three years pursuant to Me. Rev. Stat. Ann. tit. 14, sec. 442, with the current amount reported at [Me. R. Admin. Order JB-24-02](#)).
2. **No Fresh Start:**
 - a) **Grade:** C

b) Explanation of Grade: This is an earmarked exemption, but is not self-executing. The report gives a C grade to a bank account exemption between \$1000 and \$4999 that is not self-executing.

3. **Is the Bank Account Protection Self Executing?:** No. Nothing in the state's exemption statute states that it is self-executing. [Me. Rev. Stat. Ann. tit. 14, § 3127-A](#) allows a judgment creditor to ask the court to authorize service on a bank (or other third party) of an order instructing the bank to hold the debtor's property and file an answer with the court, with a copy to the debtor. The debtor then has the right to file a motion for a hearing on the exempt status of the property in question, and provides that, unless the judgment debtor does so within 20 days after the garnishee bank files its answer, the property is subject to, among other things, a turnover order. In addition, [Me. Rev. Stat. Ann. tit. 14, § 4422\(17\)](#) provides that “[t]he plaintiff, defendant or other account owner may file an ex parte motion for dissolution or modification in the court in which a judgment or prejudgment order was entered for a hearing to establish how and to which account any exemption should be applied.” Maine also allows a judgment creditor to subpoena the judgment debtor to be questioned about their income and assets at a “disclosure hearing,” and ask the court to order the debtor to make payments. If the debtor fails to do so, the judgment creditor can file contempt charges against the debtor, seeking to have the debtor arrested and imprisoned. [Me. Rev. Stat. Ann. tit. 14, §§ 3122, 3125, 3125-A, 3136](#). However, this procedure is complicated and expensive, and judgment creditors rarely use it unless a debtor is self-employed or the debt is very large. The Maine Judicial Branch's [Guide to Small Claims Court](#) pp. 18-22, details the disclosure hearing procedures.
4. **Court Procedure:** [Me. Rev. Stat. Ann. tit. 14, § 3127-A](#), described above, sets out the procedure for garnishments.
5. **Court Forms:** There is no specific form for claiming a bank account exemption or notifying a judgment debtor of the procedure for doing so.
6. **Are Rules Consistent Across Courts?:** In Maine, District Courts and branches of the Superior Court are located throughout the state. Neither the state exemption law nor the statute setting out the procedure for bank account garnishments is written in a way that would not apply to all trial courts in the state.
7. **Cost of Garnishment:** The [Maine fee schedule](#) does not mention garnishment specifically. However, Rule 69 of the Maine Rules of Civil Procedure states that the process for enforcing a judgment shall be a writ of execution, and the schedule lists \$25 as the fee for preparing a writ, and \$10 plus \$5 for each page after the first page for an attested copy of the writ. [Me. Rev. Stat. Ann. tit. 30-A, § 421](#) provides that the sheriff's fee for serving a writ of execution is \$16 (\$40 if hand-delivered). It also provides percentage fees (2% to 4%) based on the amount collected.

Maryland

1. **Statute:** [Md. Code Ann., Cts. & Jud. Proc. 11-504\(b\)\(5\)](#) ("up to \$500 in a deposit account or other account of the debtor held by a depository institution, without election of the debtor").
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so Maryland rates a C.
3. **Is the Bank Account Protection Self Executing?:** Yes. [Md. Code Ann., Cts. & Jud. Proc. § 11-504\(b\)\(5\)](#) provides that \$500 is exempt "without election of the debtor." In addition, § 11-504(c)(3) provides that "A writ of garnishment issued for a deposit account or other account held by a depository institution shall instruct the garnishee that, subject to additional exemptions, it is to garnish only the amount exceeding the amount exempted without election of the debtor."
4. **Court Procedure:** Maryland's rules of civil procedure do not address the self-executing nature of the \$500 bank account exemption. Rule 3-645 specifies the procedure to obtain and serve a writ of garnishment, and provides that a garnishee may, in its answer to the writ, assert any defense that it has or that the judgment debtor could assert. It also requires the person who serves the writ on the financial institution to mail it to the judgment debtor promptly thereafter. Rule 3-645.1 requires the writ of garnishment to instruct the financial institution about how to comply with 31 C.F.R. Part 212, the federal Treasury Rule that requires protection of two months of certain direct-deposited exempt federal benefits.
5. **Court Forms:** The [Request for Writ of Garnishment of Property Other than Wages](#) states in its Notice to Judgment Debtor "Your financial institution will automatically protect up to \$500 (Courts and Judicial Proceedings § 11-504)." It also explains that the judgment debtor has the right to assert a defense or objection to the garnishment by filing an answer within 30 days, and lists various exemptions that may be available.
6. **Are Rules Consistent Across Courts?:** Yes. The statute creating the automatic bank account exemption is not written in a way that would limit it to any particular segment of Maryland's court system.
7. **Cost of Garnishment:** The [fee](#) for Request for Writ of Garnishment of Property Other than Wages is \$10 in Maryland's district courts, plus a \$60 fee for service by the sheriff or \$10 for mailing by the clerk. In Maryland's circuit courts the [fee](#) for issuing this writ is \$31.

Massachusetts

1. **Statute:** [Mass. Gen. Laws c. 246, § 28A](#) creates a self-executing protection by providing that \$2,500 in a banking institution is exempt, and that the bank is to report only the amount exceeding \$2,500 as subject to attachment. [Mass. Gen. Laws c. 235, § 34\(15\)](#) also states that \$2,500 in cash or savings or other deposits in a banking or investment institution is exempt, and at least one court, *In re Sutherland*, 495 B.R. 134 (Bankr. D. Mass. 2013), holds that this non-self-executing exemption can be claimed in addition to the first one. A non-self-executing wildcard of up to \$5,000 provided by [Mass. Gen. Laws c. 235, § 34\(17\)](#) can also be applied to a bank account.
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a state that either protects at least \$5,000 or has a self-executing protection for between \$1,000 and \$2,999.
3. **Is the Bank Account Protection Self Executing?:** Yes.
4. **Court Procedure:** [Mass. Civil Procedure R. 4.2, Trustee Process](#), provides that the summons for attachment of a bank account must notify the bank “of such amount of [the] bank account as [is] by law exempt from attachment and shall direct [the bank] to pay over to the [judgment debtor] the exempted amount.”
5. **Court Forms:** The Boston Municipal Court makes a Trustee Process [form](#) available. That form is consistent with the requirement that the bank protect the \$2,500 exempt amount, in that it instructs the bank that \$2,500 “is exempt from this attachment.” Other Trustee Process forms sampled online used similar language.
6. **Are Rules Consistent Across Courts?:** Yes. The relevant statutes are not written in a way that would confine them to particular courts in the judicial system.
7. **Cost of Garnishment:** A fee schedule published by the Massachusetts court system for use in all trial courts lists the cost of a blank summons as [\\$5.00](#). It appears that this fee is applicable to a Trustee Summons, which is the means by which a bank account garnishment is effected in Massachusetts.

Michigan

1. **Statute:** Michigan does not provide any exemption that can be used to protect general funds in a bank account—neither an earmarked exemption nor a wildcard.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Michigan is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The [form](#) used for garnishment in Michigan, entitled Request and Writ for Garnishment (Nonperiodic), lists examples of income that may be exempt from garnishment but there is no mention of an earmarked bank account exemption, self-executing or otherwise, or a wildcard that can be applied to a bank account. It also states that the judgment debtor has 14 days to file objections to the garnishment, and if the judgment debtor does not do so the money will be turned over to the judgment creditor without further notice.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** [Mich. Comp. Laws § 600.5757](#) states: “A fee of \$15.00 shall be charged for each writ of restitution, garnishment, attachment, or execution and for each judgment debtor discovery subpoena issued.”

Minnesota

1. **Statute:** Minnesota does not provide any exemption that can be used to protect general funds in a bank account. It provides neither an earmarked exemption nor a wildcard that can be used to protect an amount in a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Minnesota is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The judgment debtor is to be given a copy of an [Exemption Form](#) to fill out to claim exemptions. It lists a number of potential exemptions based on the source of income (for example, workers compensation), but no general exemption for money in a bank account. A set of [instructions](#) issued by the judicial system about how to levy on a bank account states “Money in the debtor’s bank account is frozen the day the sheriff serves the Writ of Execution and the other paperwork on the financial institution,” making it clear that Minnesota law treats even the protections for these types of benefits as non-self-executing.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** The court system charges a [\\$55 base fee](#), which counties can supplement with a law library fee, for issuing a writ of execution. In addition, the judgment creditor must pay the garnishee bank \$15 at the time of service of the garnishment summons. [Minn. Stat. § 571.76](#).

Mississippi

1. **Statute:** The state does not provide an earmarked exemption for general funds in a bank account. [Miss. Code Ann. § 85-3-1\(a\)\(iv\)](#) provides a \$10,000 wildcard exemption for “tangible personal property,” including “cash on hand,” but the Mississippi Supreme Court has held that money deposited in a bank is not tangible property but, rather, is “incorporeal,” “intangible” property. *Cartwright v. Deposit Guar.* Nat'l Bank, 675 So. 2d 847, 848 (Miss. 1996). Accordingly, neither an earmarked exemption nor the wildcard can be used to exempt any portion of a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Mississippi is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** We did not find any forms that notify the judgment debtor of exemptions or how to claim them.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** The filing fee for a Writ of Garnishment in a circuit court appears to vary from county to county. In Harrison County, which is the most populous county in Mississippi, the [filing fee is \\$36](#), and the fee for service of process by a sheriff is \$25.

Missouri

1. **Statute:** Missouri does not provide an earmarked exemption for a bank account. However, [Mo. Rev. Stat. § 513.430\(1\)\(3\)](#) provides a wildcard exemption that protects any property up to \$600 in value, and [Mo. Rev. Stat. § 513.440](#) provides a second wildcard of \$1250 plus \$350 per dependent child for the head of a family. These wildcards can be applied to “any property,” so it appears that they could be used to protect a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Our grading system assigns an F to a state that protects less than \$500 in a bank account. Missouri is graded F because under our grading criteria we assume that a judgment debtor would apply the wildcards to protect a car, leaving no protection for a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** [Rule 90.035 of the Missouri Rules of Civil Procedure](#) requires the judgment debtor to be notified of the right to assert an exemption by filing a claim in court within 20 days after being served with the notice of garnishment. Rule 90.11 provides that, if no claim for an exemption is pending, the funds are to be distributed to the judgment debtor.
5. **Court Forms:** The Missouri judicial system has created a [Garnishment Application and Order](#). It reiterates that the procedure for asserting an exemption is for the debtor to file a claim with the court.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** The [Garnishment Application and Order](#) lists a Garnishment Clerk Fee Surcharge of \$10. [Mo. Rev. Stat. § 57.280\(1\)](#) sets a \$20 fee for sheriff's service. Subsection (4)(1) sets an additional fee of \$20 or \$15 depending on the county, to be paid to the county.

Montana

1. **Statute:** Montana does not provide any exemption that can be used to protect general funds in a bank account. It provides neither an earmarked exemption nor a wildcard that can be used to protect an amount in a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Montana is graded F because it does not provide any exemption that will protect a general bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The Montana Courts [website](#) contains Writ of Execution forms for city/justice and district courts, but they do not address the procedure for asserting exemptions.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection. The state's exemption laws are written to apply to all courts in the state.
7. **Cost of Garnishment:** The filing fee for a Writ of Execution in district court, the state's general trial court, is \$5. [Mont. Code Ann. § 25-1-201](#). <https://courts.mt.gov/external/dcourt/docs/feeschedule.pdf>. Under [Mont. Code Ann. § 7-32-2141](#), counties have the right to determine what fees to charge for sheriff's service. In [Yellowstone County](#), which is the most populous county in the state, the fee for serving a Writ of Execution is \$100.

Nebraska

1. **Statute:** There is no earmarked exemption for a bank account, but [Neb. Rev. Stat. § 25-1552](#) provides a wildcard exemption for \$5,970 in “personal property, except wages.” (The amount was originally \$5,000, but is adjusted every five years for inflation pursuant to Neb. Rev. Stat. Sec. 25-1556). This exemption has been applied to protect money in a bank account, *ARL Credit Servs. v. Piper*, 736 N.W.2d 771 (Neb. Ct. App. 2007), and the court form for claiming an exemption refers specifically to the right to apply this exemption to a bank account.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500. Under our grading criteria, we assume that a debtor would apply most of the wildcard to protect a car, leaving \$1000 to protect a bank account. Since the protection is not self-executing, Nebraska rates a C.
3. **Is the Bank Account Protection Self Executing?:** No. [Neb. Rev. Stat. §§ 25-1552](#) and 15-1516, and the court forms, make it clear that a judgment debtor must file a request for hearing with the court.
4. **Court Procedure:** Procedures for garnishment are set forth by statute. [Neb. Rev. Stat. §§ 25-1009 to 25-1011](#), [25-1026 to 1031.02](#). [Neb. Rev. Stat. § 25-1011](#) requires a form to be sent to the judgment debtor, stating that a judgment debtor who believes that the funds sought are exempt is entitled to a hearing and may obtain one by filing a request for hearing with the court. [Neb. Rev. Stat. § 25-1552](#) requires a debtor who claims the wildcard exemption to list all their property and its value.
5. **Court Forms:** Nebraska State Court [Form CC 3:8B](#), Notice to Judgment Debtor, states that the judgment debtor “must file a claim of exemptions and request for hearing with the court within 3 business days of receiving this notice” and that a debtor who fails to do so may lose their right to claim the exemption. The Notice also states: “If you are claiming that your bank account funds are exempt as personal property under [Neb. Rev. Stat. § 25-1552](#), you must file a list of all the property you own, including all of your bank accounts, and the value of each item listed. In addition, you must indicate which items you claim to be exempt.” [Form CC 3-8N](#), Request for Hearing on Garnishment, is similar and includes a section for the judgment debtor to list all their property. It provides a checkbox with the following text: “I am claiming the funds in my bank account are exempt under [Neb. Rev. Stat. § 25-1552](#), which provides an exemption of property of

any kind, except wages, not to exceed five thousand dollars (\$5,000) in the aggregate. The inventory of all of the property I own, the property's fair market value, and if I am claiming that property to be exempt is below (and on additional pages if necessary)."
<https://supremecourt.nebraska.gov/sites/default/files/CC-3-8N.pdf>.

6. **Are Rules Consistent Across Courts?**: The [Nebraska judicial system](#) has District Courts, which are trial courts of general jurisdiction, and County Courts, which have concurrent jurisdiction over civil cases up to \$57,000 and also have small claims divisions. The state's exemption statute is not written in a way that would confine it to certain courts, and the court forms described above are designed for use in all courts in the state.
7. **Cost of Garnishment:** [Neb. Rev. Stat. § 25-1031.02](#) sets a \$5 fee for issuance of a writ of garnishment in District Courts, and [Neb. Rev. Stat. § 33-123\(4\)](#) sets the same amount for County Courts. The [Filing Fees and Court Costs page](#) on the Nebraska Judicial Branch website contains this same information. [Neb. Rev. Stat. § 33-117\(1\)\(d\), \(e\)](#) states that the sheriff's fee is \$12 for serving the writ and \$6 for filing the return of service, but advocates in the state report that usually a sheriff's fee is unnecessary because the court clerk mails the garnishment summons and the notice to the debtor.

Nevada

1. **Statute:** [Nev. Rev. Stat. § 21.090\(1\)\(z\)](#) provides a \$10,000 wildcard that a debtor can use to protect funds in a bank account. In addition, [Nev. Rev. Stat. § 21.105](#) requires a bank to protect \$400 in a debtor's personal bank account, unless a separate provision for protection of up to \$2000 in exempt federal benefits electronically deposited by the U.S. Treasury applies. The statute provides that the \$400 "is not subject to execution and must remain accessible to the judgment debtor."
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a state that protects at least \$5,000 or has a self-executing protection for at least \$1,000. Under our grading protocol, the \$10,000 wildcard is not needed to protect a \$15,000 car, because the state provides a separate \$15,000 exemption for a car, so the entire wildcard can be used to protect a bank account.
3. **Is the Bank Account Protection Self Executing?:** Yes, in part. A \$400 exemption is self-executing, but the exemption provided by the \$10,000 wildcard is not.
4. **Court Procedure:** Procedures for garnishment of bank accounts are set forth primarily by statute rather than by court rules. [Nev. Rev. Stat. § 21.112](#) provides that, in order to claim an exemption, the debtor must file and serve a claim of exemption within 10 days of receipt of the notice of the writ of execution or garnishment. The judgment creditor then has 8 days to object to the exemption, in which case the court is to schedule a hearing. If the judgment creditor does not object to it, the exemption is granted and the money must be released to the judgment debtor.
5. **Court Forms:** A non-profit organization, the Civil Law Self-Help Center, has published a form [Writ of Garnishment](#) that has been approved for use by all courts in Clark County. It includes a paragraph of instructions for financial institutions that lists the automatic \$400 exemption and states that that amount is not subject to garnishment. The Center has also published a [Notice of Execution After Judgment](#), also approved for use in the courts, that informs the debtor about the \$10,000 wildcard, and states that a judgment debtor who believes that property is exempt must file a claim of exemption within 10 days. It warns the judgment debtor "IF YOU DO NOT FILE THE EXECUTED CLAIM OF EXEMPTION WITHIN THE TIME SPECIFIED, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT." This language makes it clear that the application of the \$10,000 wildcard to a bank account is not self-executing.

6. **Are Rules Consistent Across Courts?:** Yes. The statutes are not written to apply only to certain courts in the state judicial system.
7. **Cost of Garnishment:** In Nevada, [each court has different fees](#). In Clark County, the state's most populous county, the [Filing Fee](#) for a writ of execution on a bank account is \$25 in Justice Court and \$10 in District Court, plus \$30 to sheriff/ constable and \$2 per mile.

New Hampshire

1. **Statute:** There is no earmarked exemption for a bank account, but the state provides a wildcard exemption for the debtor's interest in any property up to \$1000, plus up to \$7000 of any unused amount of certain enumerated exemptions. N.H. Rev. Stat. Ann. § 511:2(XVIII). However, advocates in New Hampshire report that creditors seeking to collect judgment debts typically rely on payment orders, rather than garnishment or another procedure to reach assets such as bank accounts. See below.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500. The report assumes that a judgment debtor would use most of the available wildcards to increase the state's protection for a car to \$15,000, leaving \$1,000 available to protect a bank account, thereby qualifying for a C grade.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** N.H. Rev. Stat. Ann. § 524:6-a allows the court to enter a payment order at the time a judgment is rendered, or afterwards if the judgment creditor files a motion asking that the judgment debtor be summoned to court for a hearing. If the court concludes that the judgment debtor has the ability to make payments on the judgment, it is to enter a payment order. A debtor who does not comply with a payment order can be held in contempt of court, which can result in imprisonment. N.H. Dist. Cts. R. 1.21(7). The statute also states: "The judgment may be enforced against any property of any kind of the debtor, except such income and property as is now exempt from attachment or execution."

N.H. Super. Ct. Civ. R. 51 spells out the process for a judgment creditor to pursue an order to make periodic payments in superior court (the statewide court of general

(jurisdiction)). It provides that, if the court concludes at the hearing that the debtor has property that is not exempt, the court may order the debtor to produce it to pay the judgment. The rule also states: "If the court finds that the debtor has no property other than property that is exempt from attachment or execution and that the debtor is unable to make weekly payments on the judgment, the motion will be dismissed." N.H. Dist. Cts. R. 1.21 governs the procedure for the circuit court-district division (which includes small claims and other civil matters). An online Circuit Court [guide](#) summarizes the steps a judgment creditor must take.

The state also allows "trustee process," a procedure for requiring a bank or other entity that is holding a defendant's money or property to place a hold on it, and, if judgment is entered against the defendant, turn it over to the creditor. N.H. Rev. Stat. Ann. §§ 512:9-b, 512:36. N.H. Rev. Stat. Ann. § 512:21 exempts some types of income and property from this procedure, but does not list bank accounts. However, it appears that the state's general wildcard, described above, applies to trustee process. Advocates in the state report that judgment creditors almost never use trustee process to seize bank accounts, instead relying on payment orders. The statutes and court rules do not specify any procedure for a judgment debtor to assert that a bank account is exempt from trustee process.

5. **Court Forms:** The Circuit Court provides a [form](#) for a judgment creditor to use to seek a payment order, and a [form](#) for the judgment creditor to request that the judgment debtor be held in contempt for failure to comply with a payment order. We did not find any forms for judgment debtors to use to assert exemptions.
6. **Are Rules Consistent Across Courts?:** The rules appear to be consistent across all courts, although the forms used in circuit court-district division and superior court are different.
7. **Cost of Garnishment:** The filing fee for a Motion for Periodic Payments is \$25. <https://www.courts.nh.gov/sites/g/files/ehbemt471/files/documents/2021-04/nhjb-2364-dp.pdf>. N.H. Rev. Stat. Ann. § 104.31 sets out the fees of sheriffs and deputy sheriffs. The fee is \$30 for service of every writ, writ of possession, small claims notice, process, notice of execution, and subpoena.

New Jersey

1. **Statute:** [N.J. Stat. Ann. § 2A:17-19](#) provides a \$1,000 wildcard exemption that can be applied to “personal property of every kind.” An early decision, *Charlton v. Mitchell*, 2 A.2d 367 (N.J. 1938), holds that this exemption can be applied to money that belongs to a judgment debtor but is in a third party’s hands, so it appears that it is available to protect a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** The report gives a state an F grade if it protects less than \$500 in a bank account. For grading purposes, the report assumes that a judgment debtor would apply a wildcard exemption first to protect a car up to \$15,000. Since the \$1,000 wildcard is the only exemption that can be applied to a car, the report assumes that none of it is available to protect a bank account.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** [N.J. Ct. R. 4:59-1](#) of the New Jersey Rules of Court requires a bank or other financial institution to automatically protect certain electronically deposited funds that can be reasonably identified as exempt. This protection goes somewhat beyond the Treasury Rule in that it protects benefits that are exempt under state or federal law, not just federal law. However, it does not apply to general funds in a bank account.
5. **Court Forms:** [Appendix VI](#) to the New Jersey Rules of Practice is a court form titled “Notice to Debtor” that is to be given to a judgment debtor when a judgment creditor levies against the debtor’s bank account. It makes it clear that the \$1,000 protection is not self-executing, stating “the bank has already been notified to place a hold” on the debtor’s account, but “the funds will not be taken from your account until the court so orders. If you are entitled to an exemption as an individual, you may claim your exemption by notifying the clerk of the court and the person who ordered this levy of your reasons why your property is exempt. This claim must be in writing and if it is not mailed within 10 days of service of this notice, your property is subject to further proceedings for execution.” The New Jersey Judiciary’s [website](#) includes a number of forms and brochures, including an online [guide](#) to collecting a judgment and a [packet](#) for judgment debtors with a form to use to assert exemptions and object to a levy in the Special Civil Court, which handles cases for \$20,000 or less.
6. **Are Rules Consistent Across Courts?:** Yes. The exemption statute and the court rule are not written to apply just to certain courts in the state judicial system.

7. **Cost of Garnishment:** Law Division: The filing fee for a writ of execution is [\\$50](#). The fee for the sheriff to serve the writ is [\\$50 \(\\$48 to serve it and \\$2 to file the return\) plus mileage](#). However, advocates in New Jersey report that most executions are handled by Special Civil Part Officers, who charge a \$7 service fee plus a 10% commission, as described in the [guide to collecting a judgment](#).

New Mexico

1. **Statute:** [N.M. Stat. Ann. § 42-10-1\(A\)\(14\)](#) protects \$2,400 in a depository or investment account. It provides an exemption for “a person's aggregate interest, not exceeding fifteen thousand dollars (\$15,000), in any personal property, tangible or intangible, not otherwise specified in this subsection, including any deposits in financial or investments accounts or personal property that exceeds the monetary limits set forth in this section; provided that for an individual or sole proprietor who is a defendant in any action except a bankruptcy action, the maximum cumulative amount that a defendant may claim as exempt in a depository or investment account is two thousand four hundred dollars (\$2,400).” [N.M. Stat. Ann. § 35-12-18](#) requires a writ of garnishment in a magistrate court to state: “If you are a financial institution, the defendant who is an individual or sole proprietor has an exemption totaling two thousand four hundred dollars (\$2,400) in depository and investment accounts. This writ attaches only to money in excess of two thousand four hundred dollars (\$2,400).”
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a state that protects at least \$5,000 or has a self-executing protection for \$1000 to \$2999.
3. **Is the Bank Account Protection Self Executing?:** Yes. [N.M. Stat. Ann. § 35-12-18](#) and the court rules listed below explicitly state that the exemption is self-executing.
4. **Court Procedure:** [N.M. R. Metro Ct. RCP Rule 3-802\(I\)](#), which applies in the metropolitan courts (courts of limited jurisdiction that handle tort, contract, and landlord/tenant rights matters involving up to \$10,000), provides that, in general, a judgment debtor who fails to file a claim of exemption within 10 days waives the right to assert it. However, it goes on to provide that “it shall not be necessary for a judgment debtor to assert an exemption to the first two thousand four hundred dollars (\$2,400.00) held in a depository or investment account.” [N.M. R. Dist. Ct. RCP Rule 1-065.2\(I\)](#), which applies

in the state district courts (courts of general jurisdiction), and [N.M. R. Mag. Ct. RCP Rule 2-801\(E\)](#), which applies in magistrate courts (courts of limited jurisdiction that hold jury trials in tort, contract, and landlord/tenant rights matters involving up to \$10,000), are the same.

5. **Court Forms:** The form required by [N.M. Stat. Ann. § 35-12-18](#), described above, for writs of garnishment in the magistrate court, makes it clear to the bank that it is to protect this amount automatically. This form states, under the heading FINANCIAL INSTITUTION WRITS: “If you are a financial institution, the defendant who is an individual or sole proprietor has an exemption totaling two thousand four hundred dollars (\$2,400) in depository and investment accounts. This writ attaches only to money in excess of two thousand four hundred dollars (\$2,400).”
6. **Are Rules Consistent Across Courts?:** Yes. New Mexico has district courts, magistrate courts, and metropolitan courts, and the rules for all of these courts are consistent, as noted above. The exemption statute is not written in a way that would apply just to certain courts.
7. **Cost of Garnishment:** In the district courts, the fee for filing a writ is \$132. The fee for service or process by a sheriff varies depending on the county. In Bernalillo County, the most populous county in the state, the fee is [\\$40](#).

New York

1. **Statute:** [N.Y. C.P.L.R. 5222\(i\)](#) (McKinney) provides that a bank account deposit up to 240 times the state or federal minimum hourly wage, whichever is higher, is exempt except as to “such part thereof as a court determines to be unnecessary for the reasonable requirements of the judgment debtor and his or her dependents.” Using the minimum wage of \$16.50 (as of January 1, 2025) in the New York City area, Long Island, and Westchester this amount is \$3960. (The minimum wage is \$15.50 in other locations, but a [guidance document](#) issued by the state Department of Financial Services advises banks to use the higher amount if they are not sure which minimum wage amount applies to a depositor’s employer.) The exemption is self-executing, as the statute makes a “restraining notice” (the document that initiates a bank account garnishment) simply inapplicable to the exempt amount, thereby requiring the garnishee bank to protect that amount.
2. **No Fresh Start:**
 - a) **Grade:** A
 - b) **Explanation of Grade:** The report gives an A grade to a state that protects \$12,000 or more or has a self-executing protection for at least \$3,000. Since New York has a self-executing protection for \$3960, it receives an A grade.
3. **Is the Bank Account Protection Self Executing?:** Yes.
4. **Court Procedure:** The exemption process is governed by [N.Y. C.P.L.R. §§ 5222](#) and [5222-a](#) rather than by court rules.
5. **Court Forms:** [N.Y. C.P.L.R. § 5222-a](#) provides a notice and an exemptions claim form for a judgment debtor to use, but subsection (a) specifies that these forms are not to be provided to the debtor if the entire amount in the account is automatically protected pursuant to § [5222\(i\)](#) (discussed above). The state Attorney General’s website includes a [page](#) summarizing judgment debtors’ bank account exemption rights.
6. **Are Rules Consistent Across Courts?:** Yes. The limitation on bank account garnishment is not confined to any particular court.
7. **Cost of Garnishment:** The state court system’s [list of court fees](#) does not include any fee for issuance of an order restraining a bank account. Advocates in the state inform us that restraining notices are typically issued by the judgment creditor’s attorney as an officer of the court.

North Carolina

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but [N.C. Gen. Stat. § 1C-1601\(a\)\(2\)](#) allows a debtor to apply any unused portion of the homestead exemption, up to \$5,000, to protect “[t]he debtor's aggregate interest in any property.”
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** No Fresh Start assumes that the debtor would first apply most of a wildcard exemption to protect a car (up to \$15,000), but, as long as the wildcard is \$3000 or more, would set aside \$1000 to protect a bank account. Applying this standard to North Carolina, after applying \$4000 of the \$5000 wildcard to protect a car, the debtor would be able to apply \$1000 to protect a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so North Carolina rates a C.
3. **Is the Bank Account Protection Self Executing?:** No. If the judgment debtor does not affirmatively assert the exemption, it is waived.
4. **Court Procedure:** The procedure to assert exemptions is set out by statute, not by court rules. [N.C. Gen. Stat. § 1C-1603](#) requires a judgment debtor to be served with a notice of the right to claim exemptions. The debtor may do so either by filing a motion to designate exemptions, with a schedule of assets, or by requesting a hearing to claim exemptions. If the debtor does not take one of these steps within twenty days of receiving the notice, the statute provides that the exemptions are waived.
5. **Court Forms:** The state judicial system provides a form [Notice of Right to Have Exemptions Designated](#) (AOC-CV-406). It states that, if the debtor does not respond to the notice, the debtor “will give up your right to statutory exemptions.” The judicial system also provides a long, complicated form [Motion to Claim Exempt Property \(Statutory Exemptions\)](#) (AOC-CV-415).
6. **Are Rules Consistent Across Courts?:** Yes. Both the statute creating the wildcard exemption and the statute requiring the debtor to claim exemptions are written in a way that would apply to all levels of the judicial system.
7. **Cost of Garnishment:** [N.C. Gen. Stat. § 7A-308\(a\)\(5\)](#) states that the fee for “execution” is \$25. A [chart of miscellaneous fees](#) published by the state judicial system lists the same amount. [N.C. Gen. Stat. § 7A-311\(a\)](#) states: “For each item of civil process served, including summons, subpoenas, notices, motions, orders, writs and pleadings, the sum of thirty dollars (\$30.00).”

North Dakota

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but the state provides a \$7,500 wildcard exemption if the debtor is the head of a family, and allows it to be applied to any personal property, including money. N.D. Cent. Code § 28-22-03. In addition, N.D. Cent. Code § 28-22-03.1 provides a second wildcard exemption for \$25,000 if the debtor does not claim a homestead exemption.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** No Fresh Start assumes that the debtor would apply \$10,000 of these wildcards to supplement a \$10,000 earmarked exemption for a car, and would apply \$17,000 to protect household goods, leaving \$3,000 available to protect a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so North Dakota rates a C.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** N.D. Cent. Code § 28-22-06 requires any claim of an exemption to be made by or on behalf of the debtor within ten days after service of the notice of levy, and N.D. Cent. Code § 32-09.1-22 requires a debtor who claims an exemption to file a schedule of all personal property within 20 days after service of the garnishee summons. The state also has a court rule, N.D. R. Civ. P. 69, regarding judgment execution, but it simply refers to "the statutes of this state" for the procedure.
5. **Court Forms:** N.D. Cent. Code § 32-09.1-07 specifies what a garnishee summons and notice must state, and that it must conform substantially to a form incorporated into the statute. The state's statutes do not include a form for a judgment debtor to assert an exemption, but the state judicial system's website includes an [information guide](#) for judgment debtors that refers to a form that is contained in a [Claims for Exemptions Kit](#) on the Legal Services of North Dakota website.
6. **Are Rules Consistent Across Courts?:** Both the statute creating the wildcard exemption and the statute requiring the debtor to claim exemptions are written in a way that would apply to all levels of the judicial system.
7. **Cost of Garnishment:** The fee for preparing and issuing an execution under N.D. Cent. Code Ch. 28-21 is [\\$20](#). The judgment creditor must also pay \$40 to the garnishee for making an affidavit of disclosure. N.D. Cent. Code § 32-09.1-10 (amended effective August 1, 2025). The sheriff's fee is \$30. N.D. Cent. Code § 11-15-07(1).

Ohio

1. **Statute:** [Ohio Rev. Code Ann. § 2329.66\(A\)\(3\)](#) provides an earmarked exemption for \$625 “in cash on hand, money due and payable, money to become due within ninety days, tax refunds, and money on deposit with a bank, savings and loan association, credit union, public utility, landlord, or other person, other than personal earnings.” (The amount was formerly \$400 but is adjusted for inflation every 3 years pursuant to [Ohio Rev. Code § 2329.66\(B\)](#)). [Ohio Rev. Code Ann. § 2716.13\(B\)](#) makes this protection self-executing, by providing that the order of garnishment “shall bind the property *in excess of four hundred dollars, ...* of the judgment debtor in the possession of the garnishee at the time of service” (emphasis added).
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** A state is rated C if it protects at least \$1000 or has a self-executing exemption for at least \$500.
3. **Is the Bank Account Protection Self Executing?:** Yes. The order of garnishment mandated by statute instructs the bank to turn over only any amount that exceeds the exempt amount.
4. **Court Procedure:** [Ohio Rev. Code Ann. § 2716.13](#) sets forth the procedure for garnishment of property other than personal earnings. It makes the earmarked protection self-executing, by providing that the order of garnishment “shall bind the property *in excess of four hundred dollars, ...* of the judgment debtor in the possession of the garnishee at the time of service” (emphasis added).
5. **Court Forms:** [Ohio Rev. Code Ann. § 2716.13](#) prescribes a form for the order of garnishment. The form requires the garnishee to specify the amount of the judgment debtor’s money it is holding in excess of the earmarked exemption, and to pay that amount into court. The form includes a notice to the judgment debtor about how to assert other exemptions, such as those for unemployment compensation and workers’ compensation benefits. It concludes with a warning that if the judgment debtor does not file a request for hearing within 5 business days, “YOU WAIVE YOUR RIGHT TO A HEARING AND SOME OF YOUR MONEY, PROPERTY, OR CREDITS, OTHER THAN PERSONAL EARNINGS, NOW IN THE POSSESSION OF (GARNISHEE’S NAME) WILL BE PAID TO (JUDGMENT CREDITOR’S NAME) TO SATISFY SOME OF YOUR DEBT TO (JUDGMENT CREDITOR’S NAME).”

6. **Are Rules Consistent Across Courts?**: Yes. The exemption statute is not written to be limited to a specific court. [Ohio Rev. Code Ann. § 2716.13](#), which sets out the procedure for garnishment, applies only in common pleas court (Ohio's court of general jurisdiction), but [Ohio Rev. Code Ann. §§ 1901.13\(A\)\(2\), 1901.19](#), and [1901.21](#) allow the state municipal courts, which do not have jurisdiction over claims that exceed \$15,000, to use that same procedure.
7. **Cost of Garnishment:** [Ohio Rev. Code Ann. § 1901.26](#) provides that each municipal court is to set its own schedule of fees and costs. The cost of filing a garnishment in municipal court in Franklin County, the most populous county in the state, is [\\$25 plus \\$1 per garnishee](#) in common pleas court and [\\$40](#) in municipal court. Ohio Rev. Code Ann. § 311.17 provides that the cost of a sheriff's service of a "[w]rit of attachment for the purpose of garnishment" is \$10. In addition, the required affidavit "in a proceeding for garnishment of property, other than personal earnings, shall be accompanied by one dollar as the garnishee's fee for compliance with the order, no part of which shall be charged as court costs." [Ohio Rev. Code Ann. § 2716.12](#).

Oklahoma

1. **Statute:** Oklahoma does not provide any exemption that can be used to protect general funds in a bank account. It provides neither an earmarked exemption nor a wildcard that can be used to protect an amount in a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Oklahoma is graded F because it does not provide any exemption that will protect a general bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, self-executing or otherwise.
4. **Court Procedure:** The garnishment procedures are set forth by statute. [Okla. Stat. tit. 12, § 1174](#) requires the judgment debtor to be given a form stating that they may be entitled to claim exemptions and that such a claim should be filed within 5 days and should be on a form created by the state bar association. A claim may also be filed after 5 days but then must be by motion.
5. **Court Forms:** The Oklahoma State Courts Network (OSCN) website provides a Claim for Exemption and Request for Hearing [form](#) that the judgment debtor is to use, and a [Notice of Garnishment and Exemptions](#) form that identifies types of funds that may be exempt and instructs the judgment debtor how to file the claim.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection. The state's exemption laws are written to apply to all courts in the state. The statute governing the procedure for garnishment is not limited to any particular court level, but applies “[i]n all cases of garnishment.”
7. **Cost of Garnishment:** A [Summary of Costs](#) that appears on the Oklahoma County website states that the fee for a one-time Garnishment Affidavit is \$76.64. [Okla. Stat. tit. 28, § 152\(A\)\(11\)](#) states that the flat fee for garnishment in district court is \$23, but this sum is supplemented by a \$25 fee (subsection C), a \$10 fee (subsection D, as amended (increasing the fee from \$5), effective Nov. 1, 2025), a \$2 fee (subsection E) and a \$10 fee (subsection G). [Okla. Stat. tit. 28, § 152.1\(A\)\(3\)](#) states that, in addition to the flat fee described above, the fee for “mailing by any type of mail writs, warrants, orders, process, command, or notice for each person” is \$10.

Oregon

1. Statute: [Or. Rev. Stat. § 18.785](#) provides an automatic self-executing protection for \$2,500 in a judgment debtor's account, plus mandates automatic protection of certain direct-deposited federal or state benefits payments. It provides that, if a financial institution receives a writ of garnishment, and the account holder's cumulative balance in all accounts does not exceed \$2,500 (to be adjusted annually for inflation), the financial institution must give the debtor "full customary access" to the amount on deposit. If the accounts have more than \$2,500, the financial institution must give the debtor full customary access to \$2,500 (or to the amount of certain federal or state benefit payments that were direct-deposited within the past two months, if this exceeds \$2,500), and turn over to the judgment creditor only the amount that exceeds this sum. However, the debtor has the right to assert other exemptions. The statute also provides that, within three days after reviewing the account pursuant to the writ of garnishment, the financial institution must send the judgment debtor a notice, in substantially the form set out by [Or. Rev. Stat. § 18.847](#), explaining the garnishment and the debtor's right to challenge it.

2. No Fresh Start:

a) **Grade:** B

b) **Explanation of Grade:** The report gives a B grade to a state that exempts at least \$5,000 or has a self-executing protection for at least \$1000. Since Oregon provides a self-executing \$2,500 exemption, it receives a B.

3. Is the Bank Account Protection Self Executing?: Yes.

4. Court Procedure: The garnishment process is governed by the statutes summarized above rather than court rules.

5. Court Forms: Under [Or. Rev. Stat. § 18.838](#), a garnishee must be sent instructions in substantially the language set out in the statute. The instructions are lengthy and address wage garnishment, bank account garnishment, and garnishment of other property. [Or. Rev. Stat. § 18.847](#) specifies the language of the notice that the financial institution must send the judgment debtor about the garnishment.

6. Are Rules Consistent Across Courts?: Yes. The relevant statute is not written to be limited to a specific court.

7. Cost of Garnishment: The fee for issuing a writ of garnishment in the circuit courts (which are trial courts) is [\\$47](#). [Or. Rev. Stat. § 21.235\(2\)](#); [Circuit Court Fee Schedule](#). [Or. Rev. Stat. § 18.790\(1\)](#) states that a garnishor other than the Department of Revenue must pay a "search fee" of \$15 to a financial institution. It appears that the sheriff's fee for service of a writ of garnishment differs by county. The fee for serving a writ of garnishment in Multnomah County, which is the most populous county in Oregon, is [\\$25](#).

Pennsylvania

1. **Statute:** There is no earmarked exemption for general funds in a bank account. [42 Pa. Cons. Stat. Ann. § 8123](#) provides a \$300 wildcard exemption, available for “property of the judgment debtor (including bank notes, money, securities, real property, judgments or other indebtedness due the judgment debtor).”
2. **No Fresh Start:**
 - a) **Grade:** D
 - b) **Explanation of Grade:** The report gives a D grade to a state that protects at least \$500 or has a self-executing protection for any amount. Since Pennsylvania has a self-executing protection for \$300, it rates a D grade. The state also has a self-executing protection for the first \$10,000 in a bank account, but this is contingent on the account containing funds that are deposited electronically on a recurring basis and are identified as being exempt, so is not available to all judgment debtors.
3. **Is the Bank Account Protection Self Executing?:** Yes.
4. **Court Procedure:** Pa. R. Civ. P. [3123.1\(a\)](#) states: “A defendant may claim exemption or immunity of property from levy or attachment by filing with the sheriff a claim substantially in the form provided by Rule 3252(a).” This language implies that a judgment debtor must affirmatively claim the \$300 exemption. However, [Pa. R. Civ. P 3111.1\(d\)](#) says that, in the absence of a court order, a writ served upon a bank or other financial institution shall not attach “the funds on deposit, not including any otherwise exempt funds, that do not exceed” the \$300 exemption. The garnishment form mandated by Rule [3252](#) accordingly instructs the garnishee bank that “the attachment shall not include ... any funds in an account of the defendant with a bank or other financial institution that total \$300 or less. ... The funds shall be set aside pursuant to the defendant's general exemption provided in [42 Pa.C.S. § 8123](#).” [Pa. R. Civ. P. 3111.1](#) and the garnishment form also instruct the bank to protect the first \$10,000 of each account “containing any funds which are deposited electronically on a recurring basis and are identified as being funds that upon deposit are exempt from execution, levy or attachment under Pennsylvania or federal law.” If the account consists solely of such funds, the bank is to protect the entire amount. [Pa. R. Civ. P. 3140\(d\)](#) prohibits a bank from charging any fee against exempt funds where the funds in the account are not attached as a result of [Rule 3111.1](#).
5. **Court Forms:** The suggested language for the Claim for Exemption included in the Writ of Execution form is contained in [Pa. St. Rule of Civ. P. 3252](#).

- 6. Are Rules Consistent Across Courts?:** The Pennsylvania Rules of Civil Procedure cited above apply only to common pleas courts, the state's courts of general jurisdiction. The Philadelphia Municipal Court, which has more limited jurisdiction, follows the same rules for execution on judgments. See Rule 126(c), Philadelphia Municipal Court Local Rules. Magisterial District Courts, which serve as the court of more limited jurisdiction in the rest of the state, are governed by different rules. However, under [Pa. R.C.P.D.M.J 406](#), those courts have authority to issue execution only upon "tangible, nonperishable personal property," so cannot issue orders garnishing bank accounts.
- 7. Cost of Garnishment:** It appears that filing fees are set by individual counties. The [fee schedule](#) for the Court of Common Pleas in Philadelphia County, the state's most populous county, does not list a filing fee for a writ of execution. The sheriff's fee in that court is [\\$175](#).

Rhode Island

1. **Statute:** [R.I. Gen. Laws § 9-26-4\(18\)](#) provides a \$500 exemption for “savings or other deposits held in a banking or financial institution.”
2. **No Fresh Start:**
 - a) **Grade:** D
 - b) **Explanation of Grade:** States are rated D if they protect at least \$500 or have a self-executing exemption for any amount.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:** The Superior Court has original jurisdiction in civil cases where the amount in controversy exceeds \$5,000, and the District Courts have jurisdiction if the amount in controversy is \$10,000 or less. [Rule 69](#) of the Superior Court Rules of Procedure and [Rule 69](#) of the District Court Rules both state that enforcement of a money judgment is to be by a writ of execution, and that a judgment debtor's assets can be reached by trustee process (i.e. garnishment). The rules require the judgment creditor to send the debtor a copy of the writ and a notice containing a date for a hearing regarding any claim for exemption which the defendant may have. The rules do not provide any other detail about the procedure for claiming exemptions.
5. **Court Forms:** The Rhode Island court system provides forms that can be used to notify a judgment debtor of the right to claim exemptions in [Superior Court](#) and the [District Courts](#). Both make it clear that the exemption is not self executing: “If you claim an exemption, you must complete the attached Defendant/Debtor's Objection to Notice of Attachment (Not for Wages) and file it with the clerk on or before the Objection Date (listed above). … If you file a timely objection, you must appear in court on the Hearing Date listed above. If you do not file an objection, the Plaintiff/Creditor will be allowed to use the attached property to satisfy the judgment against you.”
6. **Are Rules Consistent Across Courts?:** Yes. The exemption statute applies generally to any attachment. As for procedure, the superior court and the district court have their own rules and forms, but the substance of the rules and forms is the same.
7. **Cost of Garnishment:** The fee for an execution is [\\$50 in Superior Court](#) and [\\$20 in District Court](#). The cost of sheriff's service of process is [\\$70](#).

South Carolina

1. **Statute:** [S.C. Code Ann. § 15-41-30\(A\)\(5\)](#) allows a debtor who does not claim a homestead exemption to claim “[t]he debtor's aggregate interest in cash and other liquid assets to the extent of a value not exceeding five thousand dollars.” This amount is adjusted for inflation pursuant to [S.C. Code Ann. § 15-41-30\(B\)](#) and is currently \$7600.
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a state that protects at least \$5000 or has self-executing protection for at least \$1000. Since South Carolina protects \$7600, it receives a B.
3. **Is the Bank Account Protection Self Executing?:** No, but the procedure that is typically used may often result in protection of the exempt amount, because the statute allows the judge, at the debtor's examination hearing, to order the debtor to turn over only property that is not exempt from execution.
4. **Court Procedure:**
 - a) **Statute:** In South Carolina, a judgment creditor typically starts the process of collecting the judgment by obtaining an execution against the judgment debtor's property pursuant to S.C. Code Ann. § 15-39-80. In contrast to the typical procedure in other states, this execution does not target any specific asset of the judgment debtor, but instructs the sheriff to satisfy the judgment out of the debtor's personal property, or the debtor's real property if sufficient personal property cannot be found. The sheriff then may visit the debtor or send the debtor a questionnaire asking the debtor to list their assets. If this procedure does not result in identification of any non-exempt assets, or results in seizure of assets that only partially pay the judgment, the sheriff files a return to this effect. S.C. Code Ann. § 15-39-130. The judgment creditor then has the right to subpoena the debtor to court to be questioned, S.C. Code Ann. § 15-39-310, and [S.C. Code Ann. § 15-39-410](#) allows the judge to order “any property of the judgment debtor, not exempt from execution, in the hands either of himself or any other person or due to the judgment debtor, to be applied toward the satisfaction of the judgment, except that the earnings of the debtor for his personal services cannot be so applied.”
 - b) **Rules:** [Rule 69](#) of the South Carolina Rules of Civil Procedure states: “Process to enforce a judgment for the payment of money shall be a writ of execution, unless the court directs otherwise.” It does not set forth the procedure except to say that the procedure “shall be as provided by law.”

5. **Court Forms:** The state judicial system's court forms [website](#) does not appear to include a writ of execution or any other form relating to execution, garnishment, or exemptions.
6. **Are Rules Consistent Across Courts?:** The state's [Circuit Courts](#) have general civil jurisdiction. In addition, the state's [Magistrate Courts](#) have jurisdiction over civil cases up to \$7,500. Neither the statutes creating the exemption and the procedures nor the civil rule is written in a way that would not apply to all levels of the judicial system.
7. **Cost of Garnishment:** Section C(11) of a [Motion Fees List](#) on the South Carolina Courts website states: "Execution on Judgment: Rule 69, SCRCR: No Fee." This list applies to the circuit court, which is the state's court of general jurisdiction. [S.C. Code Ann. § 23-19-10](#), which governs sheriff's fees, states: "For claim and delivery, writs of assistance, distress warrants, orders of seizure, and executions, including all procedural matters related to these processes, the fee is twenty-five dollars."

South Dakota

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but [S.D. Codified Laws § 43-45-4](#) gives the head of a family a \$7,000 wildcard exemption that can be used to protect "goods, chattels, merchandise, money, or other personal property." (For a single person, the wildcard is \$5,000).
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** No Fresh Start assumes that a judgment debtor would first apply most of a wildcard exemption to protect a car (up to \$15,000), but, as long as the wildcard is \$3000 or more, would set aside \$1000 to protect a bank account. Applying this standard to South Dakota, after applying \$6000 of the \$7000 head-of-farmily wildcard to protect a car, the debtor would be able to apply \$1000 to protect a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so South Dakota rates a C.
3. **Is the Bank Account Protection Self Executing?:** No. Certain exemptions, such as those for clothing, health aids, a year of provisions, and the family home, are defined by [S.D. Codified Laws §§ 43-45-2](#) and [43-45-3](#) as "absolute" and need not be claimed. However, to claim exemptions other than the absolute exemptions, [S.D. Codified Laws § 21-19-3](#) requires the debtor to file a claim within 5 days, and provides that failure to file a claim is a waiver of the exemption.

4. Court Procedure:

a) **Statute:** [S.D. Codified Laws § 21-19-3](#) provides that, if notice of a levy is served on the judgment debtor, “the debtor, within five days after service of the notice or within eight days after actual mailing thereof in the event of service by registered or certified mail, may claim exemptions allowed by law in addition to his absolute exemptions ..., and that unless such debtor ... makes such claim within such time, such failure to make such claim except as otherwise specifically provided by law, will be deemed a waiver of such additional exemptions.” See also [S.D. Codified Laws § 21-19-9](#) (reiterating this procedure). However, the statute does not require the debtor to be given this notice. [S.D. Codified Laws § 21-19-5](#) provides that a levy given without notice to the debtor is valid, but the debtor has a longer time period - 90 days from actual notice of the levy - to claim exemptions. [S.D. Codified Laws § 21-19-10](#) requires the claim of exemption to include a schedule of all of the judgment debtor's property, with the fair value of each item and a list of which are claimed as exempt.

b) **Rules:** Civil procedure in South Dakota appears to be set by statute rather than by court rule. The rules for execution upon a judgment in Circuit Courts are found in [Chapter 15-18 of the South Dakota Codified Laws](#), but do not include any provisions about assertion of exemptions or any provisions specific to bank account garnishments.

5. **Court Forms:** [S.D. Codified Laws § 21-18-6](#) sets forth the language that a Garnishee Summons must use, but it simply instructs the garnishee to report to the court whether it is holding any property belonging to the judgment debtor. It provides no instructions about exemptions. We did not find any official forms to use to claim exemptions or any suggested form language.

6. **Are Rules Consistent Across Courts?:** Yes. There is only one level of trial court in the state: the Circuit Courts.

7. **Cost of Garnishment:** The South Dakota Unified Judicial System Schedule of Court Costs indicates that the charge is [\\$5](#) for issuing an execution or a writ. In addition, [S.D. Codified Laws § 21-18-9](#) requires the garnishee to be paid \$15 for the expense of preparing the garnishment disclosure, which sum is to be taxed as a part of the plaintiff's costs.

It appears that the various sheriffs' offices have different costs for judgment execution. The [Sheriff's Office](#) for Minnehaha County, the most populous county in the state, states: “The plaintiff fills out a questionnaire about the defendant including their known property and bank accounts. The plaintiff pays a \$95 fee plus a \$10 flat rate mileage fee.” Unlike the process in most states, a process server then researches the judgment debtor's assets and determines what course to take. The [Pennington County Sheriff's Office](#) states: “Once at the Sheriff's Office, there is a form to fill out with any information the creditor may have on the debtor, such as name, address, phone numbers, date of birth, social security number, and place of employment. At that time the \$105 deposit will be requested. The deposit is added into the execution amount and collected from the debtor if we are able to collect.”

Tennessee

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but [Tenn. Code Ann. § 26-2-103\(a\)](#) provides a wildcard exemption for personal property, including money or funds on deposit with a financial institution, in the aggregate value of \$10,000.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** No Fresh Start assumes that a judgment debtor would first apply most of a wildcard exemption to protect a car (up to \$15,000), but, as long as the wildcard is \$3000 or more, would set aside \$1000 to protect a bank account. Applying this standard to Tennessee, after applying \$9000 of the \$10,000 wildcard to protect a car, the debtor would be able to apply \$1000 to protect a bank account. The report gives a C to a state that exempts \$1,000 to \$4,999 or has a self-executing protection of at least \$500, so Tennessee rates a C.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:**
 - a) **Statute:** [Tenn. Code Ann. § 26-2-114](#) states that a judgment debtor must exercise the wildcard exemption by filing a list of all the items the judgment debtor chooses to declare as exempt, together with the value of each such item. It requires a notice to this effect to be attached to any garnishment summons. The statute provides that this list can be filed before judgment is entered in a case, and if it is not filed before an execution or garnishment is issued it is ineffective to protect the debtor's property. Once a garnishment is issued, [Tenn. Code Ann. §§ 26-2-203](#) requires the garnishee to send the judgment debtor a copy of the garnishment summons and a Notice to Judgment Debtor, but not before placing a hold on any money belonging to the judgment debtor that is in the garnishee's control. In addition, [Tenn. Code Ann. § 26-2-406](#) requires a garnishee, after placing a hold on any funds of the debtor, to serve a copy of the garnishment summons upon the judgment debtor, and [Tenn. Code Ann. § 26-2-404\(a\)](#) requires that summons to include a notice of the judgment debtor's right to file a motion claiming any exemptions to which the debtor may be entitled. That notice mentions various types of benefits that are exempt, such as Social Security benefits, but does not mention the \$10,000 wildcard, which can only be claimed before the garnishment is issued. It adds that the debtor "should act quickly. If you file a motion within twenty (20) days from the date this notice was mailed to you or was given to you, the court must hear and decide your motion promptly, and in no event later than fourteen (14) days from filing."

b) **Rules:** [Rule 69.05](#) of the Tennessee Rules of Civil Procedure applies to garnishment, but it does not add anything about how the judgment debtor goes about claiming an exemption.

5. **Court Forms:** The <https://tncourts.gov/court-forms> website provides an [Execution Garnishment form](#), which contains a Notice to Judgment Debtor and tracks the language required by [Tenn. Code Ann. § 26-2-404](#). It also provides a “[Protected Income and Assets](#)” form for a judgment debtor to use to claim exemptions. This form includes spots for the debtor to apply all or part of the \$10,000 wildcard to cash or money on deposit. The website also provides a form Request to Protect Income and Assets that has checkboxes for a judgment debtor to claim various types of benefits, such as Social Security benefits, as exempt (and also to claim wages and tools of the trade as exempt). Note that this form indicates that the debtor “may have to pay a filing fee” but can ask the court to postpone it on grounds of indigency.

6. **Are Rules Consistent Across Courts?:** Yes. There are several trial-level courts in Tennessee, but the statutes and rules do not differentiate between different courts.

7. **Cost of Garnishment:** [Tenn. Code Ann. § 8-21-901](#) states that the sheriff’s fee for “collecting money to satisfy a judgment, whether by execution, fieri facias, garnishment or other process, in civil cases each time collection is attempted” is \$40. Filing fees appear to vary by county. In Shelby County, which is the most populous county in the state, the [Schedule of Filing Fees](#) states that, for garnishments, the fee for the clerk is \$27 and the fee for the sheriff is \$42.

Texas

1. **Statute:** There is no earmarked exemption for general funds in a bank account. [Tex. Prop. Code Ann. § 42.001](#) provides a wildcard exemption, but that exemption applies only to personal property and cannot be used to protect a bank account. [Tex. Prop. Code Ann. § 42.002](#) lists the personal property that is exempt, and funds in a bank account are not included in that list.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Texas is graded F because it does not provide any exemption that will protect a general bank account. It has a wildcard exemption, but that exemption applies only to personal property and cannot be used to protect a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:**
 - a) **Statute:** N/A
 - b) **Rules:** N/A
5. **Court Forms:** The Texas Courts [website](#) has a [Notice of Protected Property Rights](#) form. It also has a [set of instructions](#) for filling out and filing a [Protected Property Claim form](#) that makes it clear that it is necessary to file the form and attend a hearing in order to claim an exemption. We did not find a standard form for the writ of garnishment that a bank would receive. Advocates in the state inform us that, instead of seeking a garnishment order, most judgment creditors ask the court to appoint a turnover receiver pursuant to [Tex. Civ. Practice & Rem. Code Ch. 31](#) to take possession of and sell the judgment debtor's non-exempt property. See this [guide](#) regarding turnover receivers.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** The [website](#) for the Clerk's Office in Harris County, the most populous county in the state, lists a \$80 filing fee and a \$125 service fee for a writ of garnishment.

Utah

1. **Statute:** Utah provides neither an earmarked exemption for general funds in a bank account nor a wildcard exemption that can be used for this purpose. [Utah Code Ann. §§ 78B-5-505](#) and [78B-5-506](#) provide modest exemptions for household goods, a motor vehicle, and certain other property, and the state also has a homestead exemption ([§ 78B-5-503](#)), but there is no exemption that can be applied to a bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Utah is graded F because it does not provide any exemption that will protect general funds in a bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:**
 - a) Statute: N/A
 - b) Rules: N/A
5. **Court Forms:** The Utah Courts website provides a [Notice of Garnishment and Exemptions](#) form that makes it very clear that a judgment debtor must act affirmatively to assert any exemptions for personal property, so, even if Utah's personal property exemptions included one that could be applied to a bank account, it would not be self-executing.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** [Utah Code Ann. § 78A-2-301\(1\)\(w\)](#) sets the fee for a writ of garnishment or execution in the courts of record at \$50, and [Utah Code Ann. 78A-2-301.5\(5\)](#) sets the same fee for justice courts. In addition, [Utah Code Ann. § 78A-2-216](#) provides that the judgment creditor must pay the garnishee \$10 for a single garnishment and \$25 for a continuing garnishment.

Vermont

1. **Statute:** [Vt. Stat. Ann. tit. 12, § 2740\(15\)](#) provides an earmarked exemption for “the debtor’s interest, not to exceed \$700.00 in value, in bank deposits or deposit accounts of the debtor.”
2. **No Fresh Start:**
 - a) **Grade:** D
 - b) **Explanation of Grade:** States are rated D if they protect at least \$500 or have a self-executing exemption for any amount.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:**
 - a) **Statute:** [Vt. Stat. Ann. tit. 12, § 2732](#), provides that “trustee process”—the term used in Vermont for garnishment of funds belonging to a judgment debtor that are held by a bank—can be used to collect a judgment debt. However, Vermont’s statutes do not appear to spell out the procedure for a judgment debtor to assert that funds in a bank account are exempt.
 - b) **Rules:** Rule 4.2(k) of the Vermont Rules of Civil Procedure provides for the issuance of “trustee process” (the term used for garnishment) to collect a judgment “when authorized by law.” Rule 69, which governs execution, also states that, when a writ of execution is served upon a judgment debtor. However, neither of these rules specifies the procedure for the debtor to assert an exemption.
5. **Court Forms:** The Vermont Judiciary website provides a [Motion for Trustee Process](#) for a judgment creditor to use to request garnishment of funds in a bank account. The form instructs the judgment creditor to serve the motion, a [Trustee Disclosure form](#), a [List of Exemptions form](#) that includes a reference to the \$700 exemption for cash or funds on deposit, a notice of a hearing date, and a summons issued by the court, on both the bank and the judgment debtor. See also Rule 4.2(c), (d), (f) of the Vermont Rules of Civil Procedure (setting forth these procedures). The [Trustee Disclosure form](#) requires the financial institution to state whether it is holding funds belonging to the judgment debtor. It also asks whether the financial institution believes that any of the funds it is holding may be exempt from collection, but it indicates that answering this question is optional. The Form and Rule 4.2(f) require the financial institution to email, mail, or hand deliver the filled-out form to the court, the creditor, and the debtor within 30 days. Under Rule 4.2(g), any party that wants to contest the trustee’s disclosure or produce other relevant

evidence, has to file a written request for a hearing. The Vermont Judiciary's online [forms library](#) does not include any form instructing the debtor how to assert an exemption.

6. **Are Rules Consistent Across Courts?**: Yes. The exemption statute and the court rules are not written to apply just to certain courts in the state judicial system.
7. **Cost of Garnishment:** [Vt. Stat. Ann. tit. 32, § 1431\(e\)](#) states: "Prior to the filing of any postjudgment motion in the Civil, Criminal, or Environmental Division of the Superior Court, including motions to reopen civil suspensions or motions to reopen existing cases in the Probate Division of the Superior Court, there shall be paid to the clerk of the court for the benefit of the State a fee of \$90.00 except for small claims actions, estates, and motions to confirm the sale of property in foreclosure." Subsection c(1) of the provision states: "Prior to the entry of any postjudgment motion in a small claims action, there shall be paid to the clerk a fee of \$65.00." See also <https://www.vermontjudiciary.org/fees>. [Vt. Stat. Ann. tit. 32, § 1591\(1\)\(A\)\(iii\)](#), which states that the sheriff's fee for serving "papers related to civil suits" is \$75.

Virginia

1. **Statute:** There is no earmarked exemption for general funds in a bank account, but the state provides that a “householder shall be entitled … to hold exempt from creditor process arising out of a debt, real and personal property, or either, to be selected by the householder, including money and debts due the householder” up to \$5,000 in value (\$10,000 if the debtor is 65 or older), plus \$500 for each dependent. The amounts are to be adjusted for inflation at 3-year intervals starting in 2027. [Va. Code Ann. § 34-4](#). [Va. Code Ann. § 34-14](#) requires the debtor to designate the application of this wildcard in writing and file the designation with the registry of deeds.
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** No Fresh Start assumes that the person claiming exemptions is supporting two children, each of whom, under [Va. Code Ann. § 34-4](#), would be entitled to \$500. It also assumes that a judgment debtor would apply most of a wildcard to protect a car worth up to \$15,000, but would set aside \$1,000 of the wildcard to protect a bank account. Virginia therefore qualifies for a C grade, which the report gives to a state that exempts \$1000 to \$4999 or has a self-executing protection of at least \$500.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:**
 - a) **Statute:** [Va. Code Ann. § 8.01-511](#) requires the garnishment summons and a “notice and claim for exemptions form” to be served on a judgment debtor promptly after service on the garnishee. The latter document, described below, requires the debtor to file the claim for exemption form and attend a hearing in order to claim an exemption.
 - b) **Rules:** The procedures for garnishment are set by statute, not by court rules.
5. **Court Forms:** [Va. Code Ann. § 8.01-512.4](#) specifies the language for the [Notice of Exemptions and Claim Form](#) (DC-454). The form states: “If you claim an exemption, you should (i) fill out the claim for exemption form and (ii) deliver or mail the form to the clerk’s office of this court. You have a right to a hearing within seven business days from the date you file your claim with the court. … …” The form references, as one of the “major exemptions under federal and state law,” the homestead exemption in [Va. Code Ann. § 34-4](#) but not the \$500-per-dependent wildcard. Forms for these and other aspects of garnishment in the state’s district and circuit courts may be found on the state judicial system’s [website](#).

6. **Are Rules Consistent Across Courts?**: Yes. Neither the exemption statute nor the statutes specifying the procedure for garnishment are written to apply just to certain courts in the state judicial system.
7. **Cost of Garnishment:** [Va. Code Ann. § 17.1-275\(A\)\(7\)](#), which governs filing fees in the circuit courts (trial courts that handle most civil cases with claims of more than \$50,000, but also share authority with the district court to hear matters involving claims between \$4500 and \$50,000), states: “For all services rendered by the clerk in any garnishment or attachment proceeding, the clerk's fee shall be \$15 in cases not exceeding \$500 and \$25 in all other cases.” However, p. 66 of a 2025 circuit court [fee schedule](#) published by the Virginia Court System shows a number of other fees are tacked on to this amount, bringing the total to \$60 for cases up to \$500 and \$73 for other cases. [Va. Code Ann. § 16.1-69.48:2](#), which governs fees in the district courts (which have exclusive authority to hear civil cases with claims of \$4500 or less and share authority with the circuit courts to hear claims between \$4500 and \$50,000), states: “For all court and magistrate services in each ... garnishment ... civil proceeding, the fee shall be \$36.” However, an [Arlington County fee schedule](#) lists the fee for a garnishment as a \$52 filing fee plus \$12 for service by the sheriff. [Va. Code Ann. § 17.1-272\(a\)](#) states that the fee for process and service for service “on any person, firm or corporation” and “[s]ummoning a witness or garnishee on an attachment” is \$12. Subsection D of the provision states that these fees apply to both circuit and district courts. Since Virginia requires the garnishment papers to be served on both the garnishee and the defendant, two fees will be necessary.

Washington

1. **Statute:** [Wash. Rev. Code § 6.15.010\(1\)\(d\)\(iii\)\(A\)\(3\)](#) provides a \$3,000 wildcard, of which, in the case of consumer debt, \$2,000 may consist of bank accounts, savings and loan accounts, stocks, bonds, or other securities, which “shall be automatically protected.” Beginning July 1, 2027, this amount will be adjusted for inflation every three years pursuant to [Wash. Rev. Code Ann. § 6.15.010](#).
2. **No Fresh Start:**
 - a) **Grade:** B
 - b) **Explanation of Grade:** The report gives a B grade to a state that protects at least \$5,000 or has a self-executing protection for at least \$1,000.
3. **Is the Bank Account Protection Self Executing?:** Yes, \$2000 of the \$3000 wildcard exemption is automatically applied to protect a bank account, savings and loan account, or stocks, bonds, or other securities.
4. **Court Procedure:**
 - a) **Statute:** [Wash. Rev. Code § 6.15.010\(1\)\(d\)\(iii\)\(A\)\(3\)](#) states that \$2,000 of the \$3000 wildcard exemption “shall be automatically protected.” As for the portion of the wildcard exemption that is not automatically protected, [Wash. Rev. Code § 6.27.160](#) provides that a judgment debtor may claim exemptions from garnishment in the manner specified by the statute that creates the exemption by filing a Claim of Exemption with the court. The judgment creditor then has 7 days to object to the claim and schedule a hearing, at which the debtor will have the burden of proving and documenting the exemption. A judgment creditor that does not object to the exemption claim must obtain and deliver to the garnishee a court order instructing it to release the funds to the debtor.
 - b) **Rules:** [Rule 69](#) of the Superior Court Civil Rules states: “The procedure on execution, in proceedings supplementary to and in aid of a judgment, and in proceedings on and in aid of execution shall be in accordance with the practice and procedure of the State as authorized in [RCW 6.13](#), [6.15](#), [6.17](#), [6.19](#), [6.21](#), [6.23](#), [6.32](#), [6.36](#), and any other applicable statutes.” The Rule does not specifically mention the claim of exemption procedure.
5. **Court Forms:** [Wash. Rev. Code § 6.27.100](#) mandates the language of a writ of garnishment, including a requirement that it instruct the garnishee to protect the exempt amount. [Wash. Rev. Code § 6.27.160](#) specifies the language for the claim of exemption ([GARN 01.0500](#)), and [Wash. Rev. Code § 6.27.140](#) contains language for a Notice of

Garnishment and of Your Rights ([GARN 01.0450](#)) that [Wash. Rev. Code § 6.27.130\(1\)](#) requires the debtor to be given. These three forms are also found on the [Washington State Courts website](#). However, the form for the writ of garnishment does not appear to reflect the 2025 amendments, which increased the automatic protection for a judgment arising from consumer debt from \$1,000 to \$2,000.

6. **Are Rules Consistent Across Courts?**: Yes. The relevant statutes are not written in a way that would confine them to particular courts in the judicial system.
7. **Cost of Garnishment:** [Wash. Rev. Code § 3.62.060\(1\)\(b\)](#) provides that the fee for issuing a writ of garnishment in district court (a county court with jurisdiction over civil actions of \$100,000 or less) is \$12. [Wash. Rev. Code § 36.18.040\(1\)\(h\)](#) lists sheriff's fees and states: "For executing any other writ or process in a civil action or proceeding, besides mileage, thirty dollars per hour." However, judgment creditors are more likely to serve the writ of garnishment on the bank by certified mail, as [Wash. Rev. Code § 6.27.080](#) allows, and thereby avoid the sheriff's service fee. Washington also provides that a garnishee bank is entitled to be paid \$20 at the time of service of a writ of garnishment., [Wash. Rev. Code § 6.27.095\(2\)](#).

West Virginia

1. **Statute:** [W. Va. Code § 38-8-1\(a\)\(4\)](#) provides an earmarked exemption for “funds on deposit in a federally insured financial institution, not to exceed \$1,100.” However, the total value of this exemption plus all other personal property (a motor vehicle, household goods, and tools of the trade) that the debtor claims as exempt cannot exceed \$15,000. [W. Va. Code § 38-8-1\(b\).](#)
2. **No Fresh Start:**
 - a) **Grade:** C
 - b) **Explanation of Grade:** This is an earmarked exemption, but is not self-executing. The report gives a C grade to a bank account exemption between \$1000 and \$4999 that is not self-executing.
3. **Is the Bank Account Protection Self Executing?:** No.
4. **Court Procedure:**
 - a) **Statutes:** [W. Va. Code §§ 38-5-10 to 38-5-23](#), which set forth the procedures for garnishment of a bank account, do not place any obligation on a garnishee bank to protect any amount in a judgment debtor’s bank account or assert the \$1,100 exemption. [W. Va. Code § 38-8-3](#) requires a judgment debtor who claims personal property (including money) as exempt to deliver to the officer an affidavit listing each item of the debtor’s personal property, the fair market value of each item, and the items the debtor claims as exempt.
 - b) **Rules:** Rule 69 of the West Virginia Rules of Civil Procedure addresses enforcement of judgments but does not specify the procedures.
5. **Court Forms:** An [Affidavit for Exemptions form](#), (SCA-C&M 665), is available on the West Virginia Judiciary website. It has a checkbox to claim the \$1100 exemption, and instructs the debtor “Check all that apply. If no box applies, then the personal property exemption is not available and this form should not be completed,” thereby confirming that the exemption must be affirmatively claimed.
6. **Are Rules Consistent Across Courts?:** Yes. The exemption statutes are not written to apply just to certain courts in the state judicial system.
7. **Cost of Garnishment:** [W. Va. Code § 59-1-11\(b\)\(4\)](#) sets the fee for issuing an execution in circuit courts (the state’s courts of general jurisdiction) at \$25. [W. Va. Code § 50-3-1\(b\)](#) states that the cost in the magistrate courts (small claims courts) for “each service regarding enforcement of a judgment including execution, suggestion, garnishment and suggestee execution” is \$5. [W. Va. Code § 59-1-14\(a\)](#) states that the sheriff’s cost for “serving on any person an order, notice, summons, or other process where the body is not taken, except a subpoena served on a witness” shall not exceed \$30 (per person served).

Wisconsin

1. **Statute:** [Wis. Stat. § 815.18\(3\)\(k\)](#) provides an earmarked exemption for depository accounts in the aggregate value of \$5,000.
2. **No Fresh Start:**
 - a) **Grade:** A
 - b) **Explanation of Grade:** The report gives an A grade to a state that protects \$12,000 or more or has a self-executing protection for at least \$3,000. Since a court form makes Wisconsin's protection of \$5,000 self-executing, the state rates an A.
3. **Is the Bank Account Protection Self Executing?:** In practice it is self-executing to a large extent, largely because of mandatory court-created forms. [Wis. Stat. § 815.18\(6\)\(a\)](#) states that a judgment debtor must affirmatively claim exemptions. However, in the case of garnishment of a bank account or other property that is in a third party's hands, [Wis. Stat. § 812.11\(4\)](#) provides that, when the garnishee files its response to the garnishment with the court, it "may state any claim of exemption from execution on the part of the defendant or other objection, known to the garnishee, against the right of the plaintiff to apply upon the plaintiff's demand the debt or property disclosed." In addition, the [answer form](#) that the court system [requires](#) a garnishee to use requires the garnishee to subtract the exempt amount and identify only the remainder as subject to garnishment. Advocates in the state report that most financial institutions list \$5,000 as exempt when they file their answer.
4. **Court Procedure:**
 - a) **Statute:** As noted above, court forms require banks in Wisconsin to assert the debtor's \$5,000 exemption for depository accounts. [Wis. Stat. § 812.14](#) provides that the garnishee's answer is conclusive unless the judgment creditor objects to it, in which case the court decides the issue. In addition, [Wis. Stat. § 812.15\(1\)](#) allows a judgment debtor to assert exemptions or other defenses to a garnishment, stating: "The defendant may, within 20 days from the service of the garnishee summons and complaint on the defendant, answer the garnishee complaint and defend the garnishment action upon any ground upon which a garnishee might defend, and may participate in the trial of any issue between the plaintiff and garnishee." The judgment creditor then has the opportunity to object to the claim and demand a hearing.
 - b) **Rules:** We did not find any statewide civil rules that specify the procedure for claiming exemptions.

5. **Court Forms:** As noted above, a garnishee bank is required to use an [answer form](#) that subtracts the exempt amount and identifies only the remainder as available for garnishment. However, if the garnishee bank fails to do so or the debtor wishes to assert additional exemptions or other defenses, the debtor must act affirmatively. One of the [mandatory](#) forms published by the Wisconsin court system for use in civil cases is a [Summons and Complaint Non-Earnings Garnishment form](#) that advises the debtor: “If you have a defense to the garnishment claim of the creditor (person to whom money is owed) or you have an exemption that applies to the amount that is subject to garnishment, you are required to answer as described under Wisconsin Statutes within 20 days after you have been served with the summons and complaint.” It also notifies the garnishee: “If you are notified by the debtor’s answer that an exemption applies, you are still ordered to withhold the amount of the creditor’s claim and disbursements, pending the further order of the court. Another mandatory form, the [Debtor’s Answer Non-Earning Garnishment form](#) contains a check box (2.b.) for “Depository accounts in the aggregate value of \$5,000 [Wis. Stats. §815.18(3)(k)].” The court system has also created a mandatory form for the judgment creditor to use to object to the debtor’s claim of exemption, the [Creditor’s Objection to Answer\(s\) and Demand for Hearing Non-Earnings Garnishment](#). Forms to be used in the small claims division of the circuit courts are similar, except that the [Summons and Complaint Non-Earnings Garnishment \(Small Claims\) form](#) seems to be designed to require the debtor either to file an answer or attend a hearing.
6. **Are Rules Consistent Across Courts?:** Yes. The exemption and garnishment statutes are not written to apply just to certain courts in the state judicial system. The forms for use in garnishment cases in the small claims division differ from the general forms, but only in minor ways that do not affect this analysis.
7. **Cost of Garnishment:** [Wis. Stat. § 814.62](#) states that the fee for commencing a garnishment action is \$20. The [Wisconsin Circuit Court Fee Chart](#) lists additional charges, stating that the total fee for garnishment of an amount greater than \$10,000 is \$210.50 (“per debtor: \$20 filing fee, \$169 CSS, \$21.50 JINFO”) and the total fee for an amount of \$1,000 or less is \$92.50 (“per debtor: \$20 filing fee, \$51 CSS, \$21.50 JINFO”). It appears that sheriff’s service fees vary by county. The website of the [Sheriff’s Office for Milwaukee County](#), the state’s most populous county, shows that the fee for “All legal papers (Summons, Notices, Subpoenas, Orders)” is \$100.

Wyoming

1. **Statute:** Wyoming's exemption laws, [Wyo. Stat. Ann. §§ 1-20-101 to 1-20-106](#), provide modest exemptions for a home, clothing, household goods, a motor vehicle, tools of the trade, and several other items of tangible property, but the state provides no exemption that can be applied to a general bank account.
2. **No Fresh Start:**
 - a) **Grade:** F
 - b) **Explanation of Grade:** Wyoming is graded F because it does not provide any exemption that will protect a general bank account.
3. **Is the Bank Account Protection Self Executing?:** There is no protection, whether self-executing or otherwise.
4. **Court Procedure:** N/A
5. **Court Forms:** The court system has created a [form](#), Notice of Right to Hearing and Objection, that instructs the judgment debtor how to object to a garnishment. It allows the judgment debtor to assert that funds being garnished are exempt. It lists a number of types of funds that are exempt because of their source (e.g., Social Security or Black Lung benefits), but does not list any general exemption for money in a bank account that a debtor could assert. It warns the debtor, "If your objection is not filed within the time allowed, the clerk of court will pay the garnished funds to the Judgment Creditor," making it clear that Wyoming law treats even the protections for these types of benefits as non-self-executing.
6. **Are Rules Consistent Across Courts?:** Yes—there is no protection, and this is consistent across courts.
7. **Cost of Garnishment:** [\\$50 fee](#) to sheriff for serving the writ of garnishment.