

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
IN THE METROPOLITAN COURT

_____,
Plaintiff,

v.

No. _____

_____,
Defendant,

_____,
Garnishee.

CLAIM OF EXEMPTION FROM GARNISHMENT

Judgment debtor claims the following exemptions:

(check box next to exemption)

- a. social security benefits (OASDI, SSI);
- b. public benefits such as Medicaid, medicare, food stamps, or other aid from a government public assistance program;
- c. life, accident or health insurance proceeds;
- d. workers' compensation awards;
- e. unemployment compensation benefits;
- f. veterans' benefits;
- g. pensions and retirement funds;
- h. crime victims' reparation fund payments;
- i. allowances to surviving spouse and children from deceased's estate subject to the limitations of NMSA 1978, Sections 45-2-401 and 45-2-402;
- j. the minimum amount of shares necessary for certain non-profit cooperative associations as provided by NMSA 1978, Section 53-4-28;
- k. fraternal benefit society payments as provided by NMSA 1978, Section 59A-44-18;
- l. alimony, family, or domestic support or separate maintenance to the extent reasonably necessary for the support of the person or any dependent of the person;
- m. payment under a stock bonus, pension, profit-sharing individual retirement account, annuity, or similar plan or contract on account of illness, disability, death or length of service, to the extent reasonably necessary for the support of the person or any dependent of the person, unless such plan or contract does not qualify under Section 401(a), 403(a), 403(b), or 408 of the Internal Revenue Code of 1986;
- n. refundable federal and state tax credits;

- o. exempt wages as defined by NMSA 1978, Section 35-12-7;
- p. any stimulus payment held by or payable to the person or the person's dependents in any form;
- q. an interest in or proceeds from a pension, individual retirement account, annuity, profit-sharing plan, and any other retirement account;
- r. an individual retirement account that would qualify for tax exemptions under 26 U.S.C. Section 408 or any similar individual retirement account;
- s. an educational savings account that would qualify for tax exemptions under 26 U.S.C. 529, or any similar educational savings account;
- t. a health savings account that would qualify for tax exemptions under 26 U.S.C. 223, or any similar health savings account;
- u. money held in a depository or investment account, which is not otherwise exempt, up to Two Thousand Four Hundred Dollars (\$2,400);
- v. occupational health benefits;
- w. all property, under NMSA 1978, Section 57-32-4(A), because the underlying judgment in this case is for medical debt and I am indigent.

A completed and signed copy of this form must be returned to the Clerk of the Court whose address is:

Bernalillo County Metropolitan Court
 401 Lomas NW
 Albuquerque, NM 87102

A completed and signed copy of the Claim of Exemption form shall be served on the judgment creditor and the garnishee named above. If the judgment creditor disputes a claimed exemption, a court hearing will be scheduled to consider the disputed exemptions. At this hearing you must bring evidence supporting each of your claims of exemption.

Date	Signature of judgment debtor
	Printed name of judgment debtor
	Address (Number and Street or P.O. Box)
	City, state and zip code (print)
	Telephone number

USE NOTE

1. Use this form only for actions filed on or after July 1, 2023.