

In the Supreme Court of the State of Idaho

_____)
 IN RE: AMENDMENTS TO IDAHO)
 RULES OF CIVIL PROCEDURE, Appendix B) ORDER
 _____)

The Court being fully informed;

IT IS HEREBY ORDERED that the Idaho Rules of Civil Procedure, be and hereby are amended as follows:

That APPENDIX B of the Idaho Rules of Civil Procedure be, and the same is hereby, amended as follows:

69.1(a) NOTICE OF EXEMPTIONS

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PARTIAL LIST OF EXEMPTIONS

MONEY AND BENEFITS: Most exemptions are provided by the State of Idaho in Title 11, Chapter 6 of the Idaho Code. <https://legislature.idaho.gov/statutesrules/idstat/Title11/>. Some exemptions will not apply to child support orders.

- Wages.** 75% of your disposable earnings. If 75% of your disposable earnings is less than 30 times the federal minimum wage, you are entitled to keep 30 times the federal minimum wage. (I.C. § 11-207)
 Amount Available for Garnishment based on \$7.25 Minimum Wage

<u>Weekly</u>		<u>Biweekly</u>		<u>Semimonthly</u>		<u>Monthly</u>	
Wages	Garnishment	Wages	Garnishment	Wages	Garnishment	Wages	Garnishment
\$217.50	NONE	\$435.00	NONE	\$471.25	NONE	\$942.50	NONE
\$217.50 to \$290	Amount ABOVE \$217.50	\$435 to \$580	Amount ABOVE \$435	\$471.25 to \$628.34	Amount ABOVE \$471.25	\$942.50 to \$1256.67	Amount ABOVE \$942.50
More than \$290	Up to 25%	More than \$580	Up to 25%	More than \$628.34	Up to 25%	More than \$1256.67	Up to 25%

- Earned but Unpaid Wages.** Total value cannot exceed \$4,500 (I.C. § 11-605(11)).

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PROPERTY

1. **Burial Plots.** (I.C. § 11-603(1))
2. **Business/Work Items.** Professional Books, Implements, Business Equipment, Tools of the Trade: (Total value cannot exceed ~~\$2,500~~ \$10,000.) (I.C. § 11-605(3))
3. **Firearm.** Only 1 and the total value cannot exceed ~~\$750~~ \$1,500. (I.C. § 11-605(8))
4. **Food and Water.** 12 month's supply and storage. (I.C. § 11-605(4))
5. **Health Aids.** (I.C. § 11-603(2))
6. **Homestead.** House, Manufactured Home, Mobile Home, and Related Structures. (I.C. § 55-1001)
7. **Household Items.** Furniture, Appliances, Family Heirlooms. (Total value cannot exceed \$7,500; value per item cannot exceed ~~\$750~~ \$1,000.) (I.C. § 11-605(1))
8. **Jewelry.** Total value cannot exceed \$1,000. (I.C. § 11-605(2))
9. **Police/Military Uniforms, Arms, Accouterments.** (I.C. § 11-605(6))
10. **Vehicle.** Only 1 and the total value cannot exceed ~~\$7,000~~ \$10,000. (I.C. § 11-605(3))
11. **Miscellaneous (Tangible) Property.** Total value cannot exceed ~~\$800~~ \$1,500. (I.C. § 11-605(10))
12. **Life Insurance Contracts.** Including interest, dividends, loan value, and cash surrender value. (I.C. § 11-605(9))
13. **Separate Real or Personal Property** owned at time of marriage or subsequently acquired and non-community rents and profits for separate debts incurred by spouse. (I.C. § 11-204)

69.1(c) CLAIM OF EXEMPTIONS OR THIRD PARTY CLAIM

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III. WAGE GARNISHMENT EXEMPTIONS: (Check all that apply)

- a. My wages have not been paid by my employer. I claim ~~\$42,500.00~~ of unpaid wages in a calendar year as exempt.
- b. I claim my wage exemption under federal or state law.
- c. My **wages** have been deposited into an account at a financial institution and:
 - My wages have already been garnished by my employer, **and/or**
 - I claim up to \$7,500 of reasonably identifiable exempt wages deposited into a financial institution as exempt.

IT IS FURTHER ORDERED, that this order and these amendments shall be effective immediately.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of The Advocate.

DATED this 4th day of May, 2020.

By Order of the Supreme Court



Roger S. Burdick, Chief Justice

ATTEST:

Clerk

