

BANKRUPTCY "SELF-HELP CENTER"

DISCLAIMER: The following information is provided compliments of the Bankruptcy Section of the Arizona State Bar. The United States Bankruptcy Court does not supervise or monitor the volunteer lawyers. The information you receive cannot replace individual attorney representation and is only intended to assist individuals in gathering information about the bankruptcy process.

Self-Help Center Rules and Policies:

- 1) **Prior** to meeting with an attorney you must complete the following. If you fail to do any of these required steps you will not meet with the attorney.
 - a. View the first of two videos called Digicounsel.net. Plan one hour for watching the first video. (see below for more information)
 - b. Complete the General Information Form.
 - c. Complete the Current Monthly Income form.
- 2) Appointments:
 - a. All appointments are first-come-first-served. An attorney is available each Tuesday from 10:00 to noon. The first person to complete the hour video and the General Information Form will be able to meet with the attorney. If you do not have time to complete the video and/or form before 11:00 am you may need to return the next week to meet with the attorney. The video is available at the Courthouse from 9:00 to 4:00, or available on the Internet at: www.digicounsel.net.
 - b. Make sure to make a list of your questions so that the volunteer lawyer can address all of your issues.
 - c. Your appointment is limited to 20 or 30 minutes. Be aware of the time and try to honor the needs of the next person waiting to see the attorney.
- 3) There is no fee for meeting with the volunteer attorney, or for any of the documents in the Self-Help Center.
- 4) This program is not intended to assist those filing chapter 11 reorganization or those who have filed 3 or more bankruptcy cases in the last 3 years.
- 5) For more information see the Court's web site at: <http://www.azb.uscourts.gov/>

Educational Video Bankruptcy Self-Help Center

You can obtain access to the Digicounsel program at www.digicounsel.net. This can be done from anywhere, including public libraries. Go to www.digicounsel.net, click "client login" at top right of page, in the pull-down menu select "USBC AZ - Self help Center" near the bottom of the provider list and from there enter the user's first and last name and phone number, including area code. Do not put any dashes in the phone number - for example: 2467106, not 246-7105. Make sure to use the same phone each time you visit [digicounsel.net](http://www.digicounsel.net), otherwise you will need to start all over again.

If you have not filed bankruptcy, then select "I have not recently filed for bankruptcy". If you have already filed a bankruptcy, then choose the appropriate chapter. Complete at least two of the three options: Everyone needs to complete the first option: 7 and 13 bankruptcies. Then the user must choose between either 7 or 13, but, if they like, the user is invited to listen to both. If you have already been a visitor to [digicounsel.net](http://www.digicounsel.net), then choose "I have previously completed this form and wish to continue, located just above the "continue" button.

PLEASE ANSWER THE FOLLOWING QUESTIONS:

- 7 13 Now that you have completed the first Digicounsel session – should you be filing a chapter 7 or 13?
 Yes No Do you have a foreclosure or trustee's sale pending?
 Yes No Do you have a mortgage or deed of trust on your home. For instance - are you supposed to be making monthly payments in order to keep your home in good standing with your lender?
 Yes No Do you have any secured debts? For instance - do you make monthly payments on a car, furniture, etc?
 Yes No Do you have a cosigner, or are you married? A co-signer is someone who signed on a car loan, house loan, student loan, or any other type of obligation. This could be your parent, friend or anyone else.
 Yes No Do you have any deposit accounts? A deposit account is any checking, savings, money market or any other type of account where you deposit money with a bank or savings and loan.

**STATE BAR OF ARIZONA BANKRUPTCY SECTION VOLUNTEER LAWYER'S
PROGRAM DISCLAIMER**

The State Bar of Arizona Bankruptcy Section Volunteer Lawyers (“VLP”) program is available to those using the Bankruptcy Court's Self-Help clinic. VLP provides simple information related to the bankruptcy process. The documents and information that will be provided by VLP volunteers are designed for those with simple chapter 7 and 13 questions and the information provided by VLP volunteers is general in nature. Chapter 12 and 11 cases, or complicated legal matters pertaining to any chapter of bankruptcy that require more time and assistance than can be provided by the VLP summary services should be handled by more experienced bankruptcy lawyers.

All information will be kept confidential and is for the sole use of the VLP program. The lawyers you will see are provided for the sole purpose of guiding you through the bankruptcy process, reviewing simple bankruptcy documents and explaining the various people or entities involved in the process, at no cost. In addition, no attorney-client relationship or other professional relationship of any nature whatsoever will be deemed to have been created by your participation in VLP.

Your signature below acknowledges that you are aware that no lawyer involved in VLP has performed a conflict search on your name. If you are aware or become aware of any potential conflicts at the time of your meeting with these volunteers you further acknowledge that it is your obligation to inform them of the potential conflict at that time.

Finally, your signature below is also an acknowledgement that you understand that the State Bar of Arizona and the United States Bankruptcy Court does not offer nor provide legal advice.

Signature

Date

Printed Name

The General Information Form:

In order to assist you in your current situation it is important that you fill out the following form. If you are married, all questions apply to both you and your spouse. The General Information Form will be confidential and is retained in the Self-Help Center. Please understand that just because you fill out this form you have not committed to filing a bankruptcy.

How did you find out about this program? _____

IF YOU HAVE ALREADY FILED A BANKRUPTCY - List the case number: _____

If you need assistance because of something that happened **after** you filed your bankruptcy, explain:

GENERAL INFORMATION – USE ONLY BLACK PEN

Full Name	Spouses Name	Date of Marriage
County of Residence	How long have you lived in Arizona? _____ If less than the last 2 continuous years, where did you live before moving to Arizona? _____, from when to when: _____ (Attorney note – if Debtor has not lived in AZ for 2 continuous years, then look to state exemptions for the 6 months preceding the last 2 years 522(b)(3)(A))	

Have you filed bankruptcy before? If so, year filed: ___ case number ___, chapter 7 or 13? ___

This includes any case that may have been filed, but not completed – no discharge entered.

If you have filed a bankruptcy before did you receive a discharge? _____

The following are general questions to determine your current situation. Check "yes" if applicable:

___ Yes ___ No Are your debts primarily consumer debts (credit cards, medical)?

___ Yes ___ No Do you own any luxury items which are valued at more than \$150,000?

___ Yes ___ No Do you owe any back child support or maintenance payments? Be aware that your exempt property could be sold to pay these obligations Section 522(c)(1)

___ Yes ___ No Are your wages or checking accounts being garnished?

___ Yes ___ No Is a lawsuit pending or completed?

___ Yes ___ No Is your home in a trustee's sale (foreclosure)? Date of trustee's sale _____

___ Yes ___ No Is a lender trying to repossess your car?

___ Yes ___ No Is a landlord trying to evict you from your property?

If so, has a Forcible Entry & Detainer Order been obtained by your landlord? _____

___ Yes ___ No If you are married, were most of the debts incurred prior to your marriage?

___ Yes ___ Other problems? Explain _____

There are certain issues that determine whether or not it is appropriate to file now. Check "yes" if any apply to you or your spouse, if any.

___ Yes ___ No Have you obtained your credit counseling certificate (180 days before filing)?

___ Yes ___ No Do you expect an inheritance in the next 6 months?

___ Yes ___ No Did you refuse any inheritance in the last 4 years?

___ Yes ___ No Have you received an inheritance in the last 6 years?

___ Yes ___ No Have you sold or transferred any property (land, cars, businesses, any items of value) to a friend or relative in the last 2 years?

___ Yes ___ No Have you sold or transferred any property (land, cars, businesses, any items of value) to anyone who was not a friend or relative in the last 2 years?

- Yes No Have you paid any money to a friend or relative in the last 2 years?
- Yes No Have you paid more than \$600 to anyone who was not a friend or relative in the last 3 months?
- Yes No Do you, your spouse, your business have any leases on anything (cars, equipment, land)? If so, explain _____
- Yes No Do you expect a tax refund for any past year, including this year?**
- Yes No Do you expect money from anyone in the next 4 years (e.g.: investment coming due or repayment of a loan)? Explain: _____
- Yes No Even if you never expect to collect, does anyone owe you money for any reason whatsoever? Explain _____
- Yes No Do you (or your spouse) have a personal injury claim that you can file, is pending or payable? Explain _____
- Yes No Do you (or your spouse) have a right to sue anyone for anything? If so, please explain _____
- Yes No In the last year did you pay taxes with a credit card?
- Yes No In the last 3 months have you charged on a credit card or obtain cash advances of more than \$250?
- Note - Do not continue using credit cards if you are filing bankruptcy.**
- Yes No Are you in the middle of a divorce or separation?
- Yes No Have you been divorced in the last 3 years?
- Yes No **Are you behind on any child support or alimony payments? Be aware that your exempt property could be sold to pay these obligations Section 522(c)(1)**
- Yes No Do you have an education IRA or a qualified state tuition program?
 Yes No If so, were those funds deposited more than 1 year ago? (541(b)(5) and (6))
 NOTE: Debtor must record a "record of any interest with the court – Section 521(c).
- Yes No Do you have any student loans? **Most student loans must be repaid, even if you file bankruptcy.**
- Yes No Do you owe any court fines or penalties, or have any debts that could be considered fraudulent?
- Yes No Do you (or your spouse) owe any money to any friend or relative.

Assets: List the yard sale value of the following items. If you are married, include items owned by both of you.

Furniture and appliances \$ _____	Pre-paid rent or security deposits \$ _____
Collectables \$ _____	'Equipment you use in your business \$ _____
Guns or burial lots \$ _____	Stocks/Bonds/Mutual Funds \$ _____
Paintings \$ _____	Annuities/IRA/401 K, etc \$ _____
Computers/printers \$ _____	Life Insurance with cash surrender value \$ _____
Jewelry \$ _____	Interests in any corporations, partnerships, etc \$ _____

- Yes No Do you own a microwave, computer (not used for business), VCR, DVD? Is so, what are the item(s) yard sale value \$____ (Attorney note–these items are probably non-exempt.)
- Yes No Do you own any valuable items that you are concerned about losing? If so describe, _____
- Yes No Did you use your household furnishings or car to get a loan?
- Yes No Do you have any property in pawn?
 If so, has the redemption period run? (Attorney note - not property of estate - 541(b)(8))

HOME AND VEHICLES

- Yes No Do you own a home? Fair market value \$_____, Total amount owed: \$_____
- What year/month did you purchase your current home _____?
- Prior to your current home did you own another home in AZ _____?
- Yes No Are the mortgage payments to your lender(s) current?
- Yes No In the last 10 years have you made any payments on the mortgage that were not the regular monthly payment? If so, describe _____
- Yes No Do you (or your spouse) own any real estate that has been involved in a bankruptcy in the last 2 years? If so, describe _____

Yes No Do you (or your spouse) own other real estate, (e.g. time shares, land, etc)?

If so, list fair market value \$ _____, Debt owed \$ _____

Yes No Do you (or your spouse) own any vehicles?

If so, list Fair market value \$ _____, Debt owed \$ _____

If so, list Fair market value \$ _____, Debt owed \$ _____

INCOME, TAXES and BUSINESSES

How much money do you bring home each month (net monthly income) \$ _____

How much money does your spouse bring home each month (net monthly income) \$ _____

How much from other sources (alimony, child support, rent)? \$ _____

How much do you receive from disability or social security? \$ _____

How much do you receive from retirement? \$ _____

Total gross income (before taxes/insurance) you earned in last 6 months \$ _____

Total gross income (before taxes/insurance) spouse earned in last 6 months \$ _____

Yes No Have all required federal and state income tax returns been filed?

Yes No Is IRS or Arizona Department of Revenue collecting back taxes?

Yes No Has IRS or Arizona Department of Revenue garnished your wages or put a lien on your property?

Yes No Do you (or your spouse) own any businesses?

If so, what would a third party pay for your interest in the business: \$ _____

If so, how much money do you receive each month from this business? \$ _____

If so, does your company have any inventory, assets or contracts? \$ _____

MONTHLY BUDGET

This form details how much you spend **each month** for living expenses. Be sure to list the MONTHLY (not yearly) amount of each expense. If these expenses are deducted from your wages (for example – insurance), then do not list it on this form. For utilities, your bill may be higher in the summer than in the winter, so list an amount that is an average covering the last 12-month period. If your spouse does not live with you, then list their expenses separately.

Rent (if you do not own your home) \$ _____	Are you paying taxes directly (not out of your wages)? Is so, how much \$ _____
Total mortgage payments \$ _____	Homeowners insurance \$ _____
Average utilities (electric/water/gas): \$ _____	Renters Insurance \$ _____
Telephone (Basic Service) \$ _____	Life/Health Insurance \$ _____
Home Maintenance (home owners) \$ _____	Automobile Insurance \$ _____
Food \$ _____	Other Insurance \$ _____
Clothing \$ _____	Alimony or Child Support \$ _____
Laundry, dry cleaning, soap, etc. \$ _____	Professional Dues \$ _____
Medical expenses \$ _____	Union Dues \$ _____
Vehicle payment \$ _____ Lease? <input type="checkbox"/>	Other _____ \$ _____
Vehicle payment \$ _____ Lease? <input type="checkbox"/>	
Vehicle payment \$ _____ Lease? <input type="checkbox"/>	
Gas/maintenance/license \$ _____	
Recreation, Entertainment \$ _____	Use the space below to describe any business monthly expenses that you must pay and are not reimbursed by your employer. Explain the type of expense, amount of expense and how long you will continue to have this expense:
Charitable Giving (if claimed on taxes) \$ _____	_____
Babysitter/Day Care Expenses \$ _____	_____
Other child care Expenses \$ _____	_____
Student Loan Repayment \$ _____	_____
Newspapers, Books, Magazines \$ _____	_____

TOTAL AMOUNT OF MONTHLY INCOME: (see above) \$ _____

TOTAL AMOUNT OF MONTHLY EXPENSES: \$ _____

Total number of children _____ How many live in your house? _____

IMPORTANT NOTICES REQUIRED BY 2005 LAW:

The following notices are required pursuant to 527(a)(2). Please read these carefully. By signing below you acknowledge that:

- 1) You understand that all information that you are required to provide to complete any documents filed with the Bankruptcy Court must be complete, accurate and truthful;
 - 2) That you will fully and completely disclose all assets and all liabilities in the documents filed with the Bankruptcy Court.
 - 3) That the value of each secured personal property asset is the replacement value ("the price a retail merchant would charge for property of that kind considering the age and condition of the property at the time the value is determined.").
 - 4) Current Monthly income, the amounts specified in Section 707(b)(2), and, in a case under Chapter 13, disposable income (determined in accordance with Section 707(b)(2)) are required to be stated after reasonable inquiry.
 - 5) That you have fully disclosed all sources of income on any documents filed with this court.
 - 6) That you understand that any information set forth either in the documents filed with the Bankruptcy Court, or testified to under oath may be audited and that failure to provide accurate information may result in the dismissal of your bankruptcy case or other sanctions, including criminal sanctions.
 - 7) Both you agree that a faxed or e-mailed signature shall be sufficient to indicate agreement to these notices.
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UNITED STATES BANKRUPTCY COURT

NOTICE TO INDIVIDUAL CONSUMER DEBTOR UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case. You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (Total fee \$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses.

2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$299)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the

court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$274)

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

Chapter 11: Reorganization (\$1,390)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer or Fisherman (\$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

Certificate of the Debtor(s)

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Date: _____

X _____
Signature of Debtor

X _____
Signature of Joint Debtor (if any)

Notice required by Bankruptcy Code Section 527(b)

IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY

If you decide to seek bankruptcy relief, you can represent yourself, hire a qualified bankruptcy attorney, or you are able to answer all questions related to bankruptcy – hire a bankruptcy petition preparer that is not an attorney. Under Arizona law the Arizona Supreme Court must license all Bankruptcy Petition Preparer and they may not give any legal advice, including explaining most of the terms contained in the bankruptcy forms. The law requires that any Attorney or Bankruptcy Petition Preparer give you a written contract specifying the work to be done and the fees to be charged.

Before filing a bankruptcy case you and your attorney should analyze your eligibility for different forms of relief available under the bankruptcy code and which relief is most beneficial for you. Be sure you understand that relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a State of Intention need to be prepared correctly and filed with the bankruptcy Court. You will have to pay a filing fee to the court. Within a few weeks after your case is filed with the Court you will be required to attend a meeting of creditors where the Trustee assigned to your case will swear you to tell the truth and ask you a few questions. Creditors, should they be present, can also ask questions. In most cases no creditors are ever present.

If you choose a chapter 7 case, you may be asked by a creditor who has a lien on your car, computer, appliances or furniture to reaffirm a debt. You should first obtain legal counsel before making any decision related to reaffirming any debt. A creditor is not permitted to coerce or bully you into signing a reaffirmation agreement.

If you choose to file a chapter 13 case so that you can pay arrears on your home, back taxes, child support or your car, then you will also need legal assistance in planning for a successful chapter 13 case and the confirmation process which is part of every chapter 13 case. It is very rare for anyone without an attorney to successfully complete a chapter 13.

In rare cases there is litigation in a chapter 7 case. You can represent yourself - but it is a complicated process and only attorney, not bankruptcy petition preparers, can give you any legal advice.

Notice required by Bankruptcy Code Section 527(c)(1) and 521(b)

Information to the Assisted Person (Debtor) on How to Provide All Information Required by Section 521

Section 521 of the Code sets out the Debtor's duties related to the filing of a bankruptcy case. As you fill out the schedules and statement of affairs, you should keep the following in mind:

- 1) Completing the income and expense pages accurately and completely is critical
 - a. To compile your income, refer to recent pay stubs and last year's income tax returns. Account for overtime, investment dividends and other earnings.
 - b. Review your monthly expense payments and make a best estimate on cash expenditures. If you pay insurance annually, calculate the monthly cost. Obtain a copy of the IRS expense allowance for the area in which you live. If your expenses exceed these allowances, your attorney may need to make adjustments.
 - c. When you value property you own: consider prices in the neighborhood for housing and in newspapers and car lots for vehicles. As to other items: compare what you would be paid for furniture and clothes at a

business selling these used items and what you would pay for that same used furniture and clothes. List both values.

- d. If you have an item of special value, you may need to obtain an appraisal.
- e. When listing creditor, collect current bills and use that information for mailing addresses and balances due. It is very VERY important that the addresses be correct. Use any statement or bill received in the last 90 days as the best place to obtain a current address.
- f. Under the law of this state certain property may be exempt and you may keep it. Obtain a copy of the Exemptions package. If a seller has a lien on exempt property, the lien may be avoidable or you may have to pay for the property in order to keep it. After you have prepared these lists an attorney should review them with you and decide what property qualifies as exempt.

Lawyer's Notes:

___ Chapter 7 or 13 (income exceeds expenses, foreclosure, taxes, fraud)

___ Child support or alimony owed.

___ Multiple Bankruptcies filed.

___ Fraudulent conveyance or preferential treatment

___ Non-exempt assets (microwave, PI claim, etc)

___ Tax issues (e.g. tax refund due)

___ Should both spouses file?

___ Judgment proof?

___ Business issue?

___ Student Loan?

ARIZONA EXEMPTIONS:

(Use of federal bankruptcy exemptions in 11 U.S.C. 522(d) not permitted in Arizona. See A.R.S. § 33-1133.)
(Pursuant to A.R.S. § 33-1121.01 - each spouse/person has separate exemption. Therefore, \$4000 in household furnishings is doubled for two adults in the house. The dollar amounts listed below are the resale, not retail, value of the asset. The exception to this rule is that the homestead exemption is capped at \$150,000 per home (as of 8/25/04) (ARS § 33-1104). In order to qualify for a homestead the residence must be your primary residence. Items not on this list are not protected from your creditors. Nor are items on this list protected from creditors that you have granted a lien interest to - Deed of Trust on the home or security interest in personal property (charging your refrigerator at Sears using a Sears card, or using items as collateral for personal loans.)

TYPE OF PROPERTY	AMOUNT OF EXEMPTION	STATUTE
Homestead, consisting of debtor's equity in real property used as residence. 1 apartment of horizontal property regime, or mobile home and land upon which located.	150,000 (as of 8/25/04) - as against nonconsensual liens. Total exemption of \$150,000 for both spouses. Applies to identifiable cash proceeds of homestead sale for 18 months after sale.	A.R.S. § 33-1101 A.R.S. § 33-1104 – consensual liens excluded; A.R.S. § 33-1102 (recording not required)
Kitchen table/4 chairs; dining table/4 chairs (plus 1 for each dependant over 4), Living room: couch, chair, plus 1 chair per dependant, 3 coffee/end tables, 3 lamps, rug; 2 beds, plus 1 per dependant, bed table, dresser, lamp, bedding for each; pictures, Oil paintings and drawings made by Debtor, family portraits, TV, radio, stove, refrigerator, washer, dryer, and vacuum	\$4,000 aggregate value	A.R.S. § 33-1123
Food, fuel and provisions for 6 months used by Debtor & family	100%	A.R.S. § 33-1124
Wearing apparel	\$500	A.R.S. § 33-1125(1)
Musical instruments of Debtor and family	\$250	A.R.S. § 33-1125(2)
Domestic pets, horses, milk cows and poultry	\$500	A.R.S. § 33-1125(3)
Engagement and wedding rings	\$1,000	A.R.S. § 33-1125(4)
Library	\$250	A.R.S. § 33-1125(5)
Typewriter, bicycle, sewing machine, family bible, burial lot, rifle, shotgun or pistol	\$500 aggregate value	A.R.S. § 33-1125(7)
Watch	\$100	A.R.S. § 33-1125(6)
Motor Vehicle (must be in your name)	\$5,000 (\$10,000 if maimed or crippled)	A.R.S. § 33-1125(8)
Wheel Chair and prescribed health aids	100%	A.R.S. § 33-1125(9)
Interest in retirement plan qualified under Internal Revenue Code §§ 401(a), 403(a)(b), 408, 408(a), 409, 457 (deferred comp)	100% (except contributions within 120 days before filing petition)	A.R.S. § 33-1126(C)
Annuities or Life Insurance Proceeds	100% exempt – warning - new law, could change	A.R.S. § 20-1131
Prepaid rent and security deposits for Debtor's residence	Lesser of \$1,000 or 1 1/2 months rent	A.R.S. § 33-1126(D)
Life Insurance proceeds paid or payable to surviving Spouse or child	\$20,000	A.R.S. § 33-1126(A)(1)
Earning of minor child	100%	A.R.S. § 33-1126(A)(2)
Health, accident or disability insurance	100% (certain debts excepted)	A.R.S. § 33-1126(A)(4)
Insurance proceeds for damage or destruction of exempt property	100% for damaged or destroyed property	A.R.S. § 33-1126(A)(5)
Cash surrender value of life insurance policies owned by the debtor (owned for at least two unexpired, continuous years)	\$25,000 (beneficiary must be a dependant)	A.R.S. § 33-1126(A)(6)
Damages for wrongful levy or execution	100%	A.R.S. § 33-1126(A)(7)
One single bank account	\$150	A.R.S. § 33-1126(A)(8)
Necessary tools, equipment, instruments and books used in business or profession	\$2,500 (does not include personal motor vehicle)	A.R.S. § 33-1130(1)
Machinery, utensils, fee, grain seed and animals of farmer	\$2,500 (primary income from farming)	A.R.S. § 33-1130(2)
Arms, uniforms/accountrements required by law	100%	A.R.S. § 33-1130(3)
Net disposable earnings (less deductions required by law) includes pension and retirements payment	75% or 30 X the federal minimum hourly wage, per week, whichever is greater. Does not apply to child support obligations	A.R.S. § 33-1131
Unemployment compensation benefits	100%	A.R.S. § 23-783
Workmen's compensation benefits	100%	A.R.S. § 23-1068
Welfare assistance	100%	A.R.S. § 46-208
Child support or maintenance	100%	A.R.S. § 33-1126(A)(3)
Firemen's relief and pension benefits	100%	A.R.S. § 9-968
Police pension benefits	100%	A.R.S. § 9-931
Teachers' retirement benefits	100%	A.R.S. § 43-1201
State employees' retirement benefits	100%	A.R.S. § 38-792
Fraternal Benefit Society benefits	100%	A.R.S. § 20-881
School Equipment used to teach	100%	A.R.S. § 33-1127
Firefighting equipment	100%	A.R.S. § 33-1128
Property that belongs to the public	100%	A.R.S. § 33-1129
Specific Partnership Property	100%	A.R.S. § 29-255(B)(3)
Social Security	100%	42 U.S.C. 407(a), SEC 207