

What To Do About A Bank Levy

1. See if there is an "Exemption" that protects your money. Two lists below. List 1 should be attached to the Levy Form. List two is a list of all standard Colorado and Federal exemptions. These lists are abbreviated! The complete statutes are much more detailed!
2. Fill Out Colorado Self Form 30 Claim of Exemption
3. Show the exemption to the bank and tell them the money is exempt. If they refuse to do anything, you have to file

Form 30 with the County Court. It will cost a little over \$100 for the Court Filing Fee. You may have to appear in Court a couple of weeks later.

The exemption for a checking or savings account is found in Section 13-54-102, C.R.S., and that is the information you put on Form 30, Claim of Exemption. It has to be filed within 14 days of the day you receive the Levy Notice.

If your funds should be subject to more than one Exemption, list both on Form 30. For instance, Social Security and most over retirement benefits are exemption. Check the Levy list below for other exemptions. If the funds in the checking account came from Social Security, then list both Social Security benefits (OASDI, SSI) under 42 U.S.C. §407 and Section 13-54-102, C.R.S.

This list is on the I Colorado Garnishment Form, and the Colorado Levy Form (except the Levy Form, as of January 2024, does not list the \$2,500 bank account exemption!)

1. All or part of your property listed in Sections 13-54-101 and 102, C.R.S., including clothing, jewelry, books, burial sites, household goods, food and fuel, farm animals, seed, tools, equipment and implements, military allowances, stock-in-trade and certain items used in your occupation, bicycles, motor vehicles (greater for disabled persons), life insurance, income tax refunds, attributed to an earned income tax credit or child tax credit, money received because of loss of property or for personal injury, equipment that you need because of your health, or money received because you were a victim of a crime.
2. All or part of your earnings under Section 13-54-104, C.R.S.
3. Worker's compensation benefits under Section 8-42-124, C.R.S.
4. Unemployment compensation benefits under Section 8-80-103, C.R.S.
5. Group life insurance benefits under Section 10-7-205, C.R.S.
6. Health insurance benefits under Section 10-16-212, C.R.S.
7. Fraternal society benefits under Section 10-14-403, C.R.S.
8. Family allowances under Section 15-11-404, C.R.S.
9. Teachers' retirement fund benefits under Section 22-64-120, C.R.S.
10. Public employees' retirement benefits (PERA) under Sections 24-51-212 and 24-54-111, C.R.S.

11. Social Security benefits (OASDI, SSI) under 42 U.S.C. §407.
12. Railroad employee retirement benefits under 45 U.S.C. §231m.
13. Public assistance benefits (OAP, AFDC, TANF, AND, AB, LEAP) under Section 26-2-131, C.R.S.
14. Police Officer's and Firefighter's pension fund payments under Sections 31-30-1117 & 31-30.5-208 and 31-31-203, C.R.S.
15. Utility and security deposits under Section 13-54-102(1)(r), C.R.S.
16. Proceeds of the sale of homestead property under Section 38-41-207, C.R.S.
17. Veteran's Administration benefits under 38 U.S.C. §5301.
18. Civil service retirement benefits under 5 U.S.C. §8346.
19. Mobile homes and trailers under Section 38-41-201.6, C.R.S.
20. Certain retirement and pension funds and benefits under Section 13-54-102(1)(s), C.R.S.
21. A Court-ordered child support or maintenance obligation or payment under Section 13-54-102(1)(u), C.R.S.
22. Public or private disability benefits under Section 13-54-102(1)(v), C.R.S.
23. Up to two thousand five hundred dollars cumulative in a depository account or accounts in the name of the debtor under Section 13-54-102, C.R.S.