

Rule Change #2000(16)

COLORADO RULES OF CIVIL PROCEDURE
APPENDIX TO CHAPTERS 1 TO 17A

Form 29. Writ of Garnishment with Notice of Exemption and
Pending Levy.

Form 34. Notice of Levy.

THE SUPREME COURT OF COLORADO HEREBY AMENDS AND ADOPTS THE FOLLOWING CHANGES TO CRCP FORMS 29 AND 34, ENTITLED "WRIT OF GARNISHMENT WITH NOTICE OF EXEMPTION AND PENDING LEVY" AND "NOTICE OF LEVY."

PARTIAL LIST OF EXEMPT PROPERTY

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, ~~livestock, poultry, 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, money received because of loss of property or for personal injury, ~~house trailers, mobile homes,~~ 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. ~~Workmen's~~ workers' 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 & 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. 231(m).
13. Public assistance benefits (OAP, AFDC, AND, AB, LEAP) under Section 26-2-131, C.R.S.

14. Policemen's and firemen's pension fund payments under Sections 31-30-1117, 31-30.5-208 & 31-31-203~~313, 412, 518 & 616~~, 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. ~~3101~~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(s), C.R.S.

[***NO CHANGE TO REMAINDER OF FORMS]

Amended and Adopted by the Court, En Banc, July 10, 2000, effective immediately.

BY THE COURT:

**Gregory J. Hobbs, Jr.
Justice, Colorado Supreme Court**