Has state opted out of federal bankruptcy exemptions? Yes. Ind. Code § 34-55-10-1.

Is opt out limited to residents or domiciliaries of the state? Yes. Ind. Code § 34-55-10-1: “an individual debtor domiciled in Indiana is not entitled to use . . . [§ 522(d) exemptions].”

Do state’s exemptions have extraterritorial application?


Wages: Ind. Code § 24-4.5-5-105.

Scope: Earnings of an individual, including wages, commissions, income, rents, or profits.

Amount: Similar to federal. If debtor shows good cause why the amount should be reduced, it may be reduced to an amount less than 25% but not less than 10% of disposable earnings.

Survival after payment/deposit: Not specified in exemption statute.

Waiver: Not specified in exemption statute.

Homestead: Ind. Code §§ 34-55-10-2(c)(1), (2), and (5); §§ 34-55-10-2.5, 34-55-10-14; 750 Ind. Admin. Code § 1-1-1 (adjusted exemption amounts).

Amount: $19,300 subject to certain liens. Ind. Code §§ 34-55-10-2(c)(1), 34-55-10-14. The exemption is individually available to joint judgment debtors if property held by them as tenants by entireties. Ind. Code § 34-55-10-2(c)(1). Additional exemption for “real estate or tangible personal property” of $10,250. Ind. Code § 34-55-10-2(c)(2). As of 2010, and every six years thereafter, the Department of Financial Institutions must establish new exemption amounts, based on changes in the Consumer Price Index. Ind. Code § 34-55-10-2.5.

Procedural requirements: None stated. May claim after judgment.

Special provisions: Not specified in exemption statute.

Waiver: Not specified in exemption statute.


Household goods: $10,250 in any tangible personal property or non-residential real property (Ind. Code § 34-55-10-2(c)(2)) and $400 of intangible personal property, including bank accounts and cash (Ind. Code § 34-55-10-2(c)(3)); exemptions are subject to certain liens.

Motor vehicles: See above.

Tools of trade: See above.

Clothing and jewelry: See above.


Waiver: Not specified in exemption statute.

Benefits, retirement plans, insurance, judgments, and other intangibles: Ind. Code § 34-55-10-2.
Public benefits: Veterans’ disability benefits for service-connected disability (Ind. Code § 34-55-10-2(c)(12)); tax refund attributable to state or federal earned income credit. Ind. Code § 34-55-10-2(c)(11).

Pensions, retirement plans, and annuities: Certain retirement plans, including rollovers. Ind. Code § 34-55-10-2(c)(6).

Insurance, judgments, or other compensation for injury: Not specified in exemption statute.


Alimony, child support: Not specified in exemption statute.

Tax refunds: Tax refund attributable to state or federal earned income credit. Ind. Code § 34-55-10-2(c)(11).

Survival after payment or deposit: Not specified in exemption statute.

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