6-30/205.40 Earnings in Deposit Account

Earnings already received by the debtor may still be claimed as exempt earnings if they can be traced into deposit accounts or in the form of cash or its equivalent. (CCP 703.080) Earnings that have already been garnished for support and placed in a deposit account are totally exempt. If earnings have not been previously garnished, then 75 percent of the earnings in the account are exempt. This is not an automatic exemption and a claim must be filed. The procedures governing such a claim are not the procedures for claiming an exemption pursuant to an earnings withholding order, but rather the procedures for claiming an exemption for other property. (CCP 704.070)