6-30/217.00 Retirement Benefits from Public Entity

> Prior to disbursement, public employee benefits are exempt without making a claim. After payment, all amounts received by a resident of this state as a public retirement benefit from the United States or a public entity or from a public retirement system are exempt upon the filing of a claim. Prior to payment, all such benefits, other than those due from the United States, are exempt without making a claim whether or not the judgment debtor be a resident of the state, unless the benefits are sought to be applied to the satisfaction of a resident of the state, unless the benefits are sought to be applied to the satisfaction of a judgment for child or spousal support.

In a judgment for child or spousal support, the court may determine the extent of the exemption pursuant to CCP 703.070. If the amount sought to be applied is payable periodically, the amount is subject to an earnings assignment order for support or any other applicable procedure, but the amount to be withheld shall not exceed the amount permitted on an earnings withholding order for support.

(CCP 704.110)