6-30/330.00 Filing Claim

The defendant may a claim of exemption with the levying officer within 30 days after the levying officer serves the notice of attachment or the defendant. (CCP 484.530)

The defendant may claim an exemption based on the need to support the defendant or the defendant's family by filing a notice of motion directly with the court. The hearing is set within five days and the plaintiff must have notice not less than three days before the hearing. This procedure is an optional procedure that may be used in lieu of the normal claim of exemption procedure in other cases. The defendant should be made aware of this optional procedure, particularly where a keeper is installed. (CCP 482.100(c))

• 6-30/330.10 Received by Levying Officer

If a paper is required or permitted to be filed with the levying officer, it is considered filed when actually received by the levying officer. (CCP 681.040)