

# Exempt Property Hearings & Receiverships

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# Today's Class

Resources & Pre-Quiz

Exempt Property Hearings

Other Receiver Issues

Reminders

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# Resources & Pre-Quiz

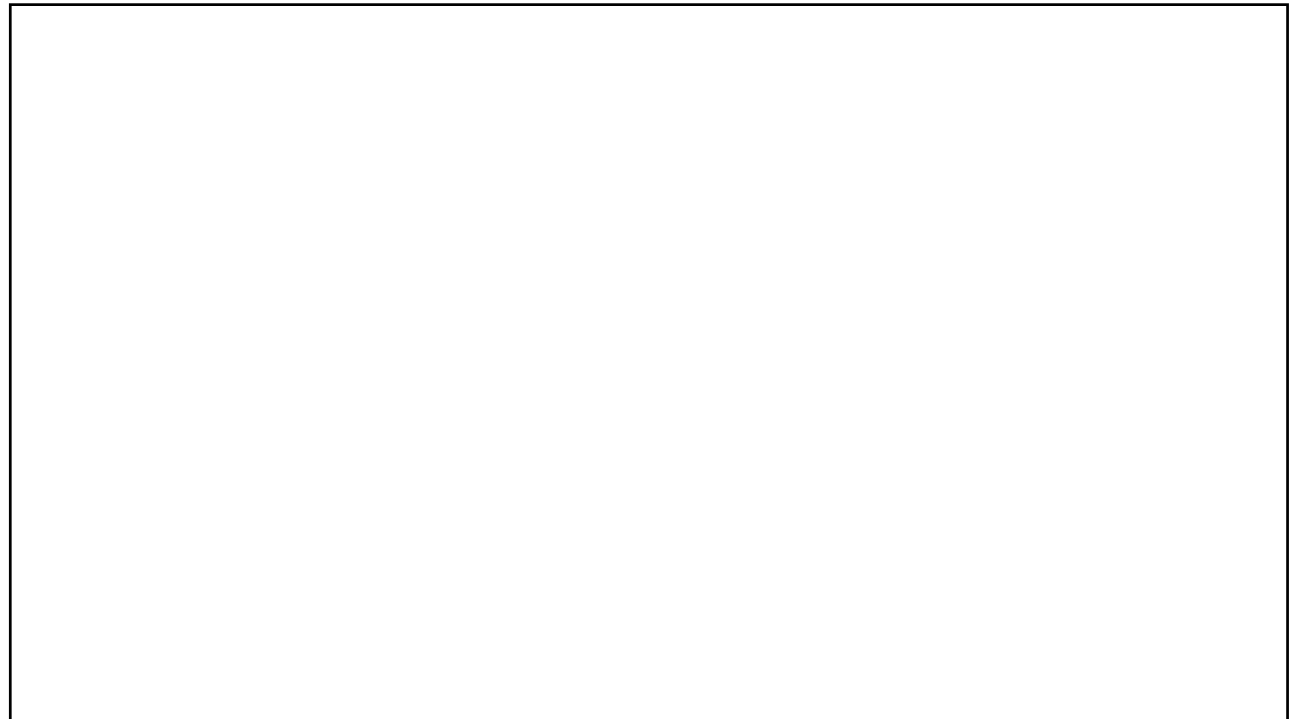
Are you up-to-date on exempt  
property issues??

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## Resources

- Exempt Property Self-Paced Module
  
- Civil Deskbook (page 157)
- TX Rules of Civil Procedure

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# So you think you know Exempt Property & Receivership?

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QUESTION #1

## Multiple Choice

The court must determine a judgment debtor's exemption claim within \_\_\_\_\_ days after the claim is filed.

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14

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21

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QUESTION #2

# True / False

Justice courts must use the Texas Supreme Court approved form to appoint a receiver?

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Exempt  
Property  
Hearings

Remember: The judge can  
develop the facts. Rule 500.6

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## Hearing Procedure

- Judgment debtor files a Protected Property Claim for or another sworn document with the same information.
- Court sets the hearing and notifies the parties (including receivers, constables, or sheriffs involved in the case).
  - Hearing must be within 10 days of when the exemption claim was filed unless there is good cause to extend the time.
- The receiver or officer cannot sell the judgment debtor's property until after the court determines the exemption claim.

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## Scenario E1

### **ABC Legal v. Debra Defendant**

*Let's hold a hearing.*

*Is the vehicle exempt?*

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## Scenario E2

Tiger Financial v. Bobby Bennett, d.b.a.  
Bennett Books  
*Homestead?*

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## Scenario E3

**Perry Plaintiff v. Danny Defendant**  
*Is the travel trailer exempt?*

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Questions

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Other  
Receiver  
Issues

Remember: The Rules require the  
new Receiver Order.

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## Scenario R1

What would you do??  
See Handout R1

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## Scenario R2

Administrative Closure??  
See Handout R2

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## Scenario R3

Too late??  
See Handout R3

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Questions

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# Reminders

Remember: Don't forget about  
the Exempt Property Module!

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# Thank You

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