

Exempt Property for Court Personnel

TJCTC 2025

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TJCTC Programs are an educational endeavor of the Justices of the Peace and Constable's Association of Texas, Inc. and funded by the Texas Court of Criminal Appeals.

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Today's Class

- * Quiz
- * Review
- * Discussion
- * Resources

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Quiz
Yes or No

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1 Yes or No

Justice courts can hold exempt/protected property hearings if a judgment debtor files a request.

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2 Yes or No

The judge can decide whether or not a hearing needs to be held after a claim form has been filed.

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3 Yes or No

The court must notify all of the parties and any other interested person (sheriff, constable, receiver, etc.) of a hearing day for an exempt property hearing.

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Review

Exempt
Property
Basics

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What property is exempt?

****See handout**

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Required Notices

- On all money judgments
- Notice of Protected Property Rights
- Protected Property Claim Form + Instructions

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Hearing Procedures

1. Request by judgment debtor
2. Schedule hearing & provide notice (10 days)
3. Receiver or officer must not sell property until decision is made
4. Hearing

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The Hearing

- Judgment debtor has burden of proof
- Is the personal property exempt or not?
- No direct appeal process

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Discussion

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Discussion 1

- What are the most common issues that you are seeing with exempt/protected property hearings?

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Discussion 2

- How often do you hold these hearings in your courts?

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Discussion 3

- How does your judge request that you help with these types of hearings?
- Do you pre-review claim forms?

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Resources

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1 Exempt Property Self-Paced Module

- Explains the basics of exempt property and the procedure for exempt property hearings in justice courts
- Can use as a resource to look up information too

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2 Resources for the Public

- texaslawhelp.org/exempt-property
- mydebtcollectionrights.org/
- www.txcourts.gov/programs-services/legal-aid
- www.sll.texas.gov/legal-help/
- www.tjctc.org/srl

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3 Forms

- Can be found on TJCTC Forms Page under Civil Procedure Forms > Enforcement of Judgments
- <https://www.tjctc.org/tjctc-resources/forms.html>

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Thank You

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