

## WEST VIRGINIA STATE EXEMPTION STATUTES

Federal Bankruptcy Exemptions are not available.

All law references are to West Virginia Code.

ASSET	EXEMPTION	LAW PROVISION
Homestead	Real or personal property used as residence to \$15,000; unused portion of homestead may be applied to any property	38-10-4(a)
Insurance	Fraternal benefit society benefits	33-23-21
	Group life insurance policy or proceeds	33-6-28
	Health or disability benefits	38-10-4(j) (3)
	Life insurance payments from policy for person you depended on, needed for support	38-10-4(k) (3)
	Unmatured life insurance contract, except credit insurance policy	
	Unmatured life insurance contract's accrued dividend, interest or loan value to \$8,000, if debtor owns contract & insured is either debtor or a person on whom debtor is dependent	38-10-4(g) 38-10-4(h)
Miscellaneous	Alimony, child support needed for support	38-10-4(j) (4)
	Property of business partnership	47-8A-25
Pensions	ERISA-qualified benefits needed for support	38-10-4(j) (5)
	Public employees	5-10-46
	Teachers	18-7A-30
Personal Property	Animals, crops, clothing, appliances, books, household goods, furnishings, musical instruments to \$400 per item, \$8,000 total	38-10-4( c)
	Burial plot to \$15,000 in lieu of homestead	38-10-4(a)
	Health aids	38-10-4(l)
	Jewelry to \$1,000	38-10-4(d)
	Lost earnings payments needed for support	38-10-4(k) (5)
	Motor vehicle to \$2,400	38-10-4(b)
	Personal injury recoveries to \$15,000 (not to include pain and suffering)	38-10-4(k) (4)
	Wrongful death recoveries needed for support, for person you depended on	38-10-4(k) (2)
Public Benefits	Aid to blind, aged, disabled, general assistance	9-5-1
	Crime victims' compensation	14-2A-24, 38-10-4(k) (1)
	Social security	38-10-4(j) (1)
	Unemployment compensation	38-10-4(j) (1)
	Veterans' benefits	38-10-4(j) (2)
	Workers' compensation	23-4-18
Tools of Trade	Implements, books & tools of trade to \$1,500	38-10-4(f)
Wages	80% of earned but unpaid wages; bankruptcy judge may authorize more for low-income debtors	38-5A-3
Wild Card	\$800 of any property	38-10-4(e)
	Unused portion of homestead or burial exemption, of any property	38-10-4(e)