

## **Do I Have to Live in Arizona to File Bankruptcy in Arizona?**

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Arizona's economy is continuing to struggle, and so when I meet with people for a bankruptcy consultation it is not unusual to learn that they are in the process of leaving Arizona to find work someplace else. This leads to the question of whether it is necessary to live in Arizona (or remaining living in Arizona) to file bankruptcy here.

### **Eligibility to File Bankruptcy in Arizona**

To be eligible to file bankruptcy in Arizona you must have lived here for the better part of the last 180 days. This means that you must have lived in Arizona for at least 91 days prior to your bankruptcy filing. If you need to file an emergency bankruptcy filing and have not lived in Arizona for at least 91 days, you will be required to file your bankruptcy case in the state where you last lived.

### **Availability of Arizona Exemption Law**

Even if you meet the minimum criteria of residing in Arizona for 91 days so that you can file your bankruptcy case here, you must have lived in Arizona for at least 2 years prior to your bankruptcy case if you want to take advantage of Arizona's exemption laws.

Exemption statutes are those laws that protect your belongings when going through the Chapter 7 bankruptcy process. Each state has their own separate exemption laws, some better than others. For instance, in Arizona there is a homestead exemption that protects up to \$150,000 in equity in your home (not a big problem lately for most). In contrast, a state like Ohio has a homestead exemption of about \$21,000. Point being that which state's exemption laws you use may end up being a big deal.

If you have recently moved to Arizona or if you need to leave the state and also need to file bankruptcy, I offer a free consultation where we can discuss your debt troubles and come up with a solution. I can be reached at (480) 420-4028 or via email at [john@skibalaw.com](mailto:john@skibalaw.com).