

PAYMENT OF CRIMINAL FINES, COSTS AND RESTITUTION – PAYMENT PLANS

In accordance with §19.2-354.1 Virginia Code Ann., any individual who is required to pay criminal fines, costs and/or restitution by the Court may establish a payment plan with the Arlington Circuit Court Clerk. The Clerk's Office is located on the 6th floor of the Courthouse, Suite 6100. A payment plan must be in place no later than 45 days from the date of the sentencing hearing or from the date of release for this Court's case to avoid interest and collection fees, unless the Court orders otherwise.

The Clerk's office policy regarding payment plans is set forth below.

INITIAL PAYMENT PLAN:

A defendant who is setting up a payment plan for the first time after sentencing can appear in person in the Clerk's office, fill out, and sign a payment plan agreement. A copy of the agreement is available on the Court's website, <https://courts.arlingtonva.us/payment-of-court-costs-fines-and-restitution/>. A payment plan may be submitted by mail, however, the agreement must be notarized prior to submission and received by the Clerk's Office prior to the payment due date.

Payment terms will be set as follows:

(1) Defendants who owe \$500 or less:

Within 30 days of entering into a payment plan, and no later than every thirty (30) days thereafter until paid in full, Defendants who owe a total of \$500 or less in criminal fines, costs and restitution, will be required to pay ten (10) percent of the total amount due. (For example, if you owe \$368.00 in fines, costs and restitution, you will be required to pay \$36.80 per month for ten (10) months.) A defendant can agree to a higher amount if he/she so desires.

(2) Defendants who owe more than \$500:

Within 30 days of entering into a payment plan, and no later than every thirty (30) days thereafter until paid in full, Defendants whose total criminal fines, costs and restitution exceed \$500, will be required to pay five (5) percent of the total amount due or \$50.00, whichever is greater. (For example, if you owe \$2,000.00 in fines, costs and restitution, you will be required to pay \$100.00 per month for twenty (20) months.) A defendant can agree to a higher amount if he/she so desires.

Payments will be credited first to any outstanding restitution obligation and will only be applied to fines and costs once restitution is paid in full.

FORMS OF PAYMENT ACCEPTED:

Payment can be made in person by cash, money order or credit card. All in person credit card transactions are subject to a 4% convenience fee. Payments can also be made online at <https://eapps.courts.state.va.us/fmsOnline/#/>. There is no convenience fee for any online credit card transactions. Interest does not accrue if an individual remains current on his/her payment plan.

GRACE PERIOD:

The Clerk's office will allow a ten (10) day grace period for receipt of any payment past the due date specified. Payments must be received in the Clerk's office within the grace period or a Defendant will be considered in default.

INABILITY TO PAY:

Individuals whose financial circumstances do not permit payment of the amounts set forth above may petition the Circuit Court, either at the time of sentencing, or any time thereafter to lower the monthly payment amount or to perform community service in lieu of court costs and fines. A copy of the petition to enter a lower monthly payment plan or perform community service in lieu of payment of court costs is available on the Court's website at <https://courts.arlingtonva.us/payment-of-court-costs-fines-and-restitution/>. Community service hours will be calculated at a rate of \$20.91 per hour and shall be served through Offender Aid and Restoration, 1400 N. Uhle Street, #704, Arlington, VA 22201 unless otherwise ordered by the Court. Information about OAR is available at www.oaronline.org.

PLEASE BE ADVISED THAT RESTITUTION CANNOT BE SATISFIED THROUGH THE PERFORMANCE OF COMMUNITY SERVICE HOURS.

DEFAULT:

In the event of default, namely failure to make any required payment within ten (10) days of the payment due date, or complete the court ordered community service as orders the account will be ***turned over to the Arlington County Treasurer for collection and assessed a 17% collection fee. In addition, accounts in default will accrue interest at the statutory rate (currently 6%) as of the date of default.***

REINSTATING A PAYMENT PLAN:

A Defendant whose account is in default and has been transferred to collections may make payment arrangements with the Treasurer's Office or may reinstate a payment plan through the Clerk's office. An account that has been turned over to collections will be assessed a 17% collection fee on the total amount due.

To establish a payment arrangement with the Treasurer's Office, please contact 703-228-4186.

To reinstate a payment arrangement through the Clerk's office, an individual can appear in person and execute a new payment plan. The defendant may also retrieve the form online and submit it to the court, the form must be notarized if submitting through the mail. The form is available online at <https://courts.arlingtonva.us/payment-of-court-costs-fines-restitution/>.

Required payment terms to reinstate a payment plan with the Clerk are as follows:

- (1) Defendants who owe \$500 or less, including interest accrued during the time the defendant was in default:

At the time of entering into the reinstatement agreement with the Clerk's Office, the Defendant must make an initial payment equal to ten (10) percent of the amount due. Defendants will be required to pay installments equal to ten (10) percent of the amount due every thirty days thereafter until the amount is paid in full.

(2) Defendants who owe more than \$500, including interest accrued during the time the defendant was in default:

At the time of entering into the reinstatement agreement with the Clerk's Office, the Defendant must make an initial payment equal to ten (10) percent of the amount due. Defendants will be required to pay installments equal to ten (10) percent of the amount due every thirty days thereafter until the amount is paid in full.

Individuals whose financial circumstances do not permit payment of the above amounts may petition the Circuit Court to lower the monthly payment amount or to perform community service in lieu of payment of costs, as explained above under the heading Inability to Pay.

If you have questions or need additional information regarding deferred payment plans in the Arlington Circuit Court, please do not hesitate to contact the Clerk's Office at 703-228-4399.