

VIRGINIA: IN THE CIRCUIT COURT OF FLOYD COUNTY

RE: PROCEDURES FOR COLLECTION OF COURT COSTS, FINES AND RESTITUTION

This 1st day of July, 2024, came the Clerk of the Circuit Court for the County of Floyd and moved for entry of a court order specifying guidelines for the Time to Pay (TTP) Agreements on Criminal Court Costs, Fines and Restitution.

It is hereby ORDERED that the Clerk of this Court be authorized to implement the following guidelines for establishing Time to Pay (TTP) Agreements on Criminal Court Costs, Fines and Restitution:

1. Monthly payments shall be made as follows:
 - Total amounts of less than \$1000.00, at least \$50.00 per month.
 - Total amounts greater than \$1000.00 but less than \$5000.00, at least \$75.00 per month.
 - Total amounts greater than \$5000.00, at least \$100.00 per month.
2. Applicants who have previously defaulted on a payment plan, a down payment of \$50.00 is required.

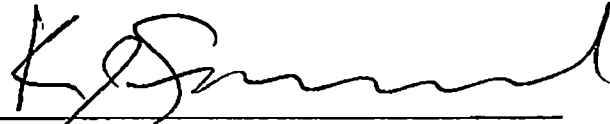
Defendants currently on an installment plan that does not conform with the requirements of revised Rule 1:24 of the Virginia Supreme Court Rules and Section 19.2-354 of the Code of Virginia, 1950, as amended, may petition the Clerk of the Circuit Court to bring their plan into accord with the Rule and the Code. The Clerk of the Circuit Court and her deputies shall have the discretion to adjust the payment plan accordingly and shall, pursuant to the requirements of the Rule and Code, consider the defendant's financial obligations, as well as fines, costs and restitution the defendant owes in other courts.

Pursuant to Virginia Code Section 19.2-354(C), a defendant has the right to petition the Court to earn credit toward discharge of the fines and costs through the performance of Community Service. A defendant may petition the court upon their release from incarceration to receive credit for hours worked during incarceration.

If the Defendant's sole financial resource is a Social Security benefit or Supplemental Security Income and they acknowledge that information in the clerk's office, then the defendant will not be required to pay until they have another resource or income. As long as their sole income remains unchanged, their account will not go to collections. Restitution that has been ordered is not included in this exemption of payment and is due as the Court ordered.

It is further ORDERED that, in all criminal cases coming before this Court, unless directed otherwise, all payments made shall be first applied to the satisfaction of restitution, if any, and subsequently applied to court fines and costs.

Enter this ORDER this 9 day of July, 2024.

A handwritten signature in black ink, appearing to read 'K. Mike Fleenor, Jr.', written over a horizontal line.

K. Mike Fleenor, Jr., Judge