

VIRGINIA: IN THE CIRCUIT COURT OF HIGHLAND COUNTY

DEFERRED/INSTALLMENT PAYMENT POLICY EFFECTIVE JULY 1, 2024

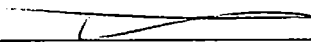
ORDER

Pursuant to Virginia Code Section 19.2-349, 19.2-354 and 19.2-354.1 the Circuit Court Clerk is hereby authorized to establish and approve written agreements for the deferral or installment payment of fines, restitution, forfeitures, penalties and costs imposed upon a defendant for conviction in this Court of any violation of any criminal or traffic laws whenever the defendant is unable to pay such obligations within 30 days of conviction, subject to the guidelines and conditions set forth in this Order.

Payment Plans and their terms may be set by the Court and may be amended at the discretion of the Court when invoices from providers are submitted. If you disagree with the Payment Plan and Terms set by the Clerk, you may request that the Clerk place the matter on the Court's docket for the Judge to establish a plan.

1. The Defendant is given notice, either by mail or in person, of all fines, costs, restitution, and assessments at the conclusion of the criminal case. The Clerk shall send a notice of such amendment to the defendant's last known address. You shall promptly inform this Court of any change of mailing address during the term of the agreement.
2. The first payment is due on the date designated on the Plan. Decisions as to terms of Payment Plans are made on a case-by-case basis based on income, amount of fines and costs assessed, period of probation, etc. After 90 days from the conviction date, all past due accounts will be sent to collections and a one time delinquent payment fee of 17% will be assessed against the account.
3. The Commonwealth Attorney shall provide to the Court during trial the amount of restitution owed and the name(s) of the victim(s), which form shall be signed by the defendant prior to imposition of sentence.
4. All payments received will be applied to restitution first, if applicable to case.
5. If default in payment occurs, the Plan is terminated and the Defendant must petition the Circuit Court for a NEW Payment Plan as such: if fines and costs owed are \$500.00 or less, the required down payment may not exceed 10 percent of such amount; if fines and costs owed are more than \$500.00, the required down payment may not exceed 5 percent of such amount owed or \$50.00, whichever is greater. The Department of Taxation may institute collection proceedings through garnishments, tax set-offs, and other means available.
6. If a defendant serves an active sentence of jail or penitentiary time in the Commonwealth, pursuant to Virginia Code Section 19.2-353.5, interest on any outstanding fines and costs owed to the Court or ANY other Court, which may accrue during the period when the defendant is incarcerated, will be waived by the Court upon the defendant's request. It is the responsibility of the applicant to present to the Court the proper forms to be eligible for the waiver of interest.
7. Completion of community service in lieu of cash payments for all fines and costs may be approved by the Court at the rate of \$12.00 per hour. Community service will be monitored by your probation officer and/or the Court Community Corrections Program. **Community service does not apply to restitution. Restitution shall be paid by cash payments only.**
8. The Court accepts payments by check, money order, or cash in person. Payments can be mailed to: Highland County Circuit Court, PO Box 190, Monterey, VA 24465. Office hours are 8:30AM to 4:30PM, Monday – Friday, with the exception of holidays. Due dates that fall on weekends or holidays will be due the next business day. When requesting a receipt, please include a self-addressed stamped envelope.
9. If your sole resource is a Social Security benefit or Supplemental Security Income, then you are not required to pay until you have another resource of income. As long as your sole income remains unchanged, your account will not go to collections. Please understand that any restitution ordered by the Court is not included in this exception of payment and is due as the Court has ordered.

Enter this 10 day of July, 2024.


_____, Judge
Edward K. Stein