

ISLE OF WIGHT COUNTY CIRCUIT COURT
NOTICE OF PAYMENT ALTERNATIVES
Payment Agreement for Collection of Fines, Costs, and Restitution

Pursuant to Virginia Code Section 19.2-354, the Court has authorized the Clerk of this Court to establish and approve, in conformity with VA Code Section 19.2-354 and Rule 1:24 of the Rules of Supreme Court of Virginia, individual deferred or installment payment agreements for defendants convicted of, or found not innocent in the case of a juvenile, and ordered to pay fines, costs and/or restitution for, traffic infractions or violations of any criminal law of the Commonwealth or of any political subdivision of the Commonwealth.

Having been convicted, you are liable for the payment of Court Costs and, if Ordered, Restitution. You may petition the Court to make payments on fines/costs/restitution in these ways:

- 1. *Installment Payment Agreement***- you agree to pay a fixed monthly payment based upon your financial circumstances.
- 2. *Deferred Payment Agreement*** – you agree to have the balance of Costs and Restitution paid IN FULL by a specific date certain.
- 3. *Modified Deferred Payment Agreement***– you agree to pay the balance of Costs and Restitution IN FULL by a specific date certain. Between now and that date you will use your best efforts to make periodic payments.
- 4. *Community Service Agreement*** – Community Service is supervised by the Department of Community Corrections, or Probation and Parole, and may be arranged through said Departments. This allows you to discharge all or part of your fines and/or costs (*not Restitution, interest or collections fees*), by earning credits for performance of community service work. (Note: work performed as part of a Court-ordered program will not qualify). ****See Attached Form**

All monetary payments are first applied to Restitution and Restitution Interest until satisfied and then applied to Court Costs. If Restitution is Ordered to be paid “*jointly and severally*” with another Defendant, then each Defendant is under the obligation to pay the entire balance.

Unpaid balances are reported to the Department of Taxation for Set-off Debt Collection. This may lead to income garnishments and tax return garnishments.

If a defendant’s sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments at least until such time that such defendant has a resource other than a Social Security benefit or Supplemental Security Income. **(Not applicable to Restitution)**

If a defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to 19.2-349. **(Not applicable to Restitution)**

No Social Security benefit or Supplemental Security Income shall be considered an available resource in determining the length of time to pay under a deferred, modified deferred or installment payment agreement and the amount of payments, if any, pursuant to 19.2-349 (D). **(Not applicable to Restitution)**

Please contact my office (757) 365-6233 if you have any questions.

Effective July 1, 2024

Laura E. Smith, Clerk
Isle of Wight County Circuit Court