



MARK "BO" TAYLOR
CLERK OF THE COURT

OFFICE OF THE CLERK OF CIRCUIT COURT
FOR SCOTT COUNTY, VIRGINIA

SCOTT COUNTY COURTHOUSE
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**PROCEDURE STATEMENT FOR PAYMENT PLANS FOR FINES, COSTS,
AND RESTITUTION PER CODE OF VIRGINIA
EFFECTIVE JULY 1, 2024**

Virginia Code §19.2-354 authorizes the court to order a defendant to pay a fine, restitution, forfeiture, or penalty in deferred payments or installments. The court assessing the fine, restitution, forfeiture, or penalty and costs shall authorize the clerk to establish and approve individual deferred or installment payment agreements.

Virginia Code §19.2-354.1 sets forth the following guidelines for deferred or installment payment agreements:

- The length of the payment agreement and the number of payments shall be reasonable considering the defendant's financial resources and obligations.
- The court may offer a payment agreement combining an initial period during which no payment of fines, and costs is required followed by a period of installment payments.
- The court shall not require a defendant to make a down payment upon entering a deferred or installment payment agreement, other than a subsequent payment agreement, in which case the court may require a down payment.
- All fines and costs that a defendant owes for all cases in any single court may be incorporated into one payment agreement, unless otherwise ordered by the court in specific cases.
- Any payment received within ten (10) days of its due date shall be considered timely made.
- At any time during the term of the payment agreement, the court may modify the terms of the agreement upon good cause shown.

- If the defendant's sole financial resource is a Social Security benefit or Supplement Security Income, then the defendant is not required to pay until they have another resource or income. As long as the defendant's income remains unchanged, the account will not go to collections. Please understand that any restitution that you may have been ordered to pay, is not included in this exemption of payment and is due as the court has ordered.

The defendant is to advise the court of SS/SSI income.

INTEREST ON UNPAID BALANCES:

Per Code of Virginia §19.2-353.5, no interest accrues during any period in which fines and costs are being paid in deferred or installment payments pursuant to an order of the Court. Interest will accrue if the Defendant does not make payments in accord with the Deferred Payment Plan. Interest CANNOT be stopped on Restitution and will continue to accrue at the judgement rate of interest set forth in Virginia Code §6.2-302 until paid in full.

PAYMENT DUE DATE

The payment due date for fines and costs will be set by the court at the time of sentencing. The court may order the defendant to pay the fines and costs in full immediately, or the court may authorize the defendant to enter into a deferred or installment payment agreement.

If the defendant enters into a deferred or installment agreement, the first payment will be due on the date set by the court. The subsequent payments will be due on the dates set forth in the payment agreement.

COMMUNITY SERVICE

Community Service at approved locations, in lieu of money payments, may be an option to discharge fines and costs (but not restitution). The Community Service must be approved in advance by the Court or Probation Officer.

The clerk CANNOT approve community service.

Pursuant to Virginia Code §19.2-354C and Amendments set forth dated July 1, 2020, and in accordance with the published and affirmed Virginia Courts of Appeals Opinion dated February 27, 2024, *Leroy Vanmeter, Jr. v. Commonwealth of Virginia, 2024*, any request to satisfy fines and costs achieved through inmate work while housed within a correctional facility settings, unless in compliance with Virginia Code §19.2-316.4, 53.1-59, 53.1-128, 53.1-129, or 53.1-131, is denied.

FAILURE TO MAKE PAYMENTS

If the defendant fails to make a payment on the due date, the court may:

- Issue a warrant for the defendant's arrest.

- Refer the defendant to a collection agency (Commonwealth Attorney)

HOW TO PAY

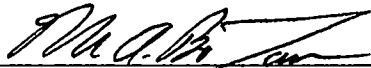
The defendant may pay fines, costs, and restitution in person at the clerk's office. The defendant should bring cash, a check, credit card (3.0% convenience fee) or a money order to the clerk's office. The defendant may bring a copy of the court order or payment agreement.

To pay by mail: The defendant should send a check or money order to Scott Circuit Court Clerk's Office, 202 W. Jackson Street, Suite 102, Gate City, VA 24251.

To pay online: The defendant can pay fines, costs, and restitution online through the Virginia Courts website. www.vacourts.gov Instructions are posted on the Clerk's Office Website at www.scottcircuitclerk.com

The defendant should contact the clerk's office if they have any questions about the payment due date for fines, costs, and restitution, or how to make a payment.

These terms are general guidelines that may be amended at the discretion of the Clerk. Decisions as to Plans are made on a case-by-case basis since everyone's situations vary.



Mark A. "Bo" Taylor
Circuit Court Clerk