

## **VIRGINIA:**

### **IN THE GENERAL DISTRICT COURTS FOR THE ELEVENTH JUDICIAL DISTRICT**

#### **ORDER**

Comes now the Court pursuant to Virginia Code Section 19.2-353.3 through 19.2-355 and notes the following requirements for the collection of fines and Court costs in the General District Courts for the Eleventh Judicial District:

If a defendant, appearing before the Court, is unable to pay fines, cost, restitution or penalties imposed by the Court within 90 days of the conviction date, the defendants will be eligible to enter into a deferred payment, installment payment, and modified deferred payment agreements. No time to pay fee will be charged on any account.

If the defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then you are not required to pay until you have another resource or income. As long as your sole income remains unchanged, your 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.**

When a defendant enters payment arrangements, the court shall not require an initial down payment. A defendant who enters into a payment agreement shall promptly inform the court in writing of any change of mailing address during the term of the agreement.

The following guidelines will be followed:

\$ 1.00 - \$149.99: additional 30 days; \$ 150.00 - \$299.00: additional 60 days; \$ 300.00 - \$499.99: additional 90 days; \$ 500.00 - \$999.99 additional 6 months; \$ 1000.00 and above: additional 12 months

When a defendant enters into any subsequent payment agreement, the Court shall require a down payment. If the fines and cost owed are \$500 or less, the required down payment will not exceed 10% of the amount owed. If fines and costs owed are more than \$500, the required down payment will not exceed 5% of the amount owed or \$50, whichever is greater.

If the defendant does not pay the account in full by the given due date or enter into a new payment agreement, the account will be considered delinquent, and the delinquent amounts owed shall be increased by 17% to help offset the costs of collections. No interest shall accrue; for 180 days from the date of conviction, during any period of incarceration, or for 180 days from release of incarceration if the sentence included an active period of incarceration

A 4% convenience fee is added each time a payment is made with a debit or credit card.

Time to pay agreements are not issued online, however, the DC-211 form is available for the defendant to fill out prior to coming to the Clerk's office. The form can be located at [www.vacourts.gov](http://www.vacourts.gov). Defendants can request the time to pay agreement in the Clerk's office, by fax, or by mail. The defendant MUST be the only person to fill out the form and sign it. The court will not accept the forms if they are completed and/or signed by anyone other than the defendant.

Restitution: State law requires that all payments be applied to restitution before fines and costs. If your case has been referred for collection enforcement, the increase rate fee must be collected at the time of the restitution payment.

If granted by the Court, community service work may be used as an option to defray fines and costs, especially when the defendant is unable to make substantial payments. Community service shall not be credited against any amount owed as restitution. Each hour of community service performed will be at the current Virginia minimum wage rate.

To receive credit for community service, work the defendant must:

- 1) Volunteer for a non-profit 501(c)(3) organization.
- 2) Submit an original letter, copies will not be accepted, on the letterhead of the non-profit organization stating the number of volunteer hours performed and listing the dates the volunteer service was performed, signed by the supervising non-profit employee.
- 3) Submit the original letter to the Clerk's office on or before the payment due date. The court will not grant any extension or exception for letters that are not timely received.

If the defendant is unable to read or write, the court, or the clerk, may assist the defendant in completing the petition and require him to affix his mark thereto. The consequences of the making of a false statement shall be explained to such defendant.

June 11, 2024

Date

Ray P. Lupold III

Ray P. Lupold III, Chief Judge