

Guidelines for the Collection of Court-Ordered Fines, Costs and Restitution

Danville City Circuit Court

- It is the goal of the Danville City Circuit Court to see that fines, costs, and restitution are paid within a reasonable amount of time.
- Pursuant to Va. Code § 19.2-354, individuals convicted of a violation of law in this Court may pay off said fines, costs or restitution according to a payment installment schedule approved by this Court.
- Restitution may **NOT** be paid off by performing community service and may be paid through the Court-approved payment schedule.
- Pursuant to Va. Code § 53.1-129, fines and costs may be paid off by performing community service before, during, or after incarceration for: (i) a State, county, city, or town, or (ii) a 501 (c)(3) nonprofit organization. Submissions for community service hours must include the hours worked and a signed letter by the supervisor confirming the hours worked. Community service hours worked before May 1, 2021 will be counted against fines and costs in the amount of \$7.25 per hour. Community service hours worked will be counted against fines and costs consistent with Virginia’s minimum wage beginning May 1, 2021. *See Va. Code §40.1-28.10.*
- For the purposes of § 53.1-129 and 19.2-354(C), paid work while incarcerated will also be considered community service in the amount of \$7.25 per hour minus the amount actually paid. Hours worked while incarcerated for this purpose will be consistent with Virginia’s minimum wage beginning May 1, 2021 minus the amount actually paid. *See Va. Code §40.1-28.10.* Credit for paid work while incarcerated is only available for hours worked after July 1, 2020.

Payment Schedule	
Amount Owed	Minimum Monthly Payment
\$1.00 - \$499.00	\$25.00
\$500.00-\$999.00	\$50.00
\$1000.00 - \$1999.00	\$100.00
\$2000.00 – and up	\$200.00

- **NOTE** – this monthly payment plan remains the same until balance is paid in full
- Interest will not accrue on any fines or costs in a criminal case or a case involving a traffic infraction within 180 days from final judgment, while defendant is incarcerated, or within 180 days from release from confinement. Va. Code §19.2-353.5
- At any time during the duration of a payment agreement, the defendant may request a modification of the agreement in writing on a form provided by the Executive Secretary of the Supreme Court, and the court may grant such modification based on a good faith showing of need. Va. Code § 19.2-354.1.
- Civil Contempt: Individuals who do not follow the payment schedule may be subject to civil contempt. A show cause hearing will be held at which time they can explain to the court why

they have not paid the amount due. At a show cause hearing, the Judge may amend the payment plan or find the individual in civil contempt. An individual found in civil contempt may be sentenced to serve time on the City Farm earning an amount equivalent to 8 hours of work at the current Virginia minimum wage per day against their amount owed, other than restitution. *See Va. Code §40.1-28.10.* A purge amount may be set that will allow the individual to become current on payments and avoid jail time.