

Virginia: In the Circuit Court for the counties of New Kent, King William, King and Queen and Charles City

**GUIDELINES FOR DETERMINING THE CONDITIONS OF DEFERRED OR
INSTALLMENT PAYMENT AGREEMENTS FOR FINES AND COSTS OWED
BY A DEFENDANT**

1. Any defendant who is unable to pay fines and costs within 30 days may apply to the court to establish a deferred or installment payment of said fines and costs
2. All unpaid fines and costs, of whatever source or type, are eligible for deferred payments or installments.
3. Defendants shall have the option of paying said fines, restitution, forfeiture or penalty and any other costs through a deferred payment or installment plan.
4. The Court will assess each individual defendant's specific financial condition in establishing a deferred or installment payment plan.
5. Any defendant who has unpaid fines and costs in more than one court will have to either pay his or her fines or costs in full or establish a payment plan with respect to each court in order to remove the suspension of their driving privileges. The Court, in considering the Defendant's request for installment payments, shall consider the Defendant's other obligations to other courts in determining the amount needed for down payment and installment payments.
6. Defendants, if unable financially to make payments, may petition the court to participate in a community service program to receive credit against their deferred or installment payment plan. The defendant may check with each individual Clerk's Office for available community service programs.
7. Down payments are not required to enter into a payment plan agreement when the agreement sets forth deferred payments.
8. Down payment may be required to enter into an installment plan but the down payment will not be set in an amount that may function to bar access to the installment plan process.
9. Any defendant who has defaulted on a payment plan has a statutory right to petition the Court to modify the existing plan or to create a new payment plan and the Court will give due consideration to such request.

10. A defendant who enters into a payment plan shall have his or her driver's license restored after payment of the reinstatement fee to the Department of Motor Vehicles. The Court shall not require a Defendant to establish a payment history on a subsequent payment plan before restoring the Defendant's driver license.
11. No driver's license suspension should occur while a defendant is in good standing on a deferred or installment plan.
12. A Defendant whose fines and costs have been referred to the collection process under Virginia Code Section 19.2-349 shall be eligible to enter into an initial or subsequent payment plan with the court.
13. In District Court only, when a Defendant enters into a payment plan, the District Court may assess a one-time fee not to exceed \$10.00 to cover the costs of management of the Defendant's account until such account is paid in full.

ENTERED: 6/30/15
B. W. Powell

Judge