

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF PATRICK

IN RE: Deferred Payment Plan Policy for Court Costs, Fines and Restitution

ORDER

The following will outline procedures in place for deferred payment plans in the Patrick County Circuit Court.

1. The Judge will set the amount and due date of monthly payment at the time of sentencing.
2. The defendant shall endorse form CC-1351 and a copy will be placed in the defendant's file.
3. The minimum monthly payment shall be \$50.00 unless extenuating circumstances exist that would allow for a lesser amount. The Judge or Clerk will approve any such exceptions.
4. If the defendant misses two payments and has not been approved by the judge or clerk for any such delayed payment, the clerk shall forward such information to the Virginia Department of Taxation Court Debt Collections Office.
5. If defendant is in default on a second payment agreement and requests a third payment plan, he/she shall make an appointment with the circuit court judge and request a hearing for approval of any such agreement.
6. In all criminal cases, unless otherwise directed, restitution, if ordered, shall be paid prior to the payment of fines and costs.
7. The defendant shall be given written notice of payment options and of the option of earning credit toward discharge of fines and costs through the performance of community service work. Community service credit shall not be credited to restitution or restitution interest. The defendant shall make his request in the form of a Petition to the Court. The rate of credit per hour of community service shall be \$7.25, unless ordered differently by the Judge of this Court.
8. In accordance with §19.2-349, a portion of each payment received will be credited to collection fees if the account has such fees assessed.
9. At any time during the duration of a payment agreement, the defendant may request a modification of the agreement in writing to the Judge or Clerk and may be granted based upon good faith.
10. All account delinquent more than 90 days, or in default of a payment agreement will be reported to the Department of Taxation, the State Compensation Board, and the Attorney for the Commonwealth. In addition, a collection fee pursuant to §19.2-349, currently 17% of the principal balance due will be applied to the account.

METHODS OF PAYMENT

- The defendant may pay fines, costs and restitution by: cash, personal check, company check from employers, money orders, cashiers check, certified check and online (vacourts.gov).
- All checks shall be made payable to: Clerk of Circuit Court.
- Also accepted are Credit/Debit cards in person or online. Which shall include a 2% convenience fee for use.
- If paying by mail, a self-addressed, stamped envelope is required for the return of receipt.
- Pursuant to VA Code Sec 19.2-353.3, the clerk of the court to whom a dishonored check or debit/credit card was tendered may impose a fee of \$50.00 or 10% of the value of the payment, whichever is greater, in addition to the fine and costs already imposed.

THESE GUIDELINES ARE SUBJECT TO AMENDMENT AND EXCEPTION AT THE DISCRETION OF THE JUDGE AND/OR CLERK.

Enter this the 29th day of June, 2023



Honorable Judge Marcus A. Brinks