



COMMONWEALTH OF VIRGINIA
JUDICIAL DISTRICT 2-A
ACCOMACK COUNTY GENERAL DISTRICT COURT
NORTHAMPTON COUNTY GENERAL DISTRICT COURT

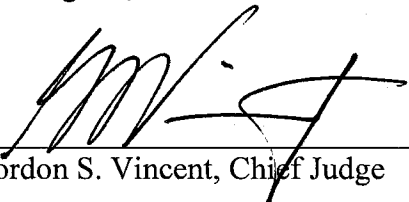
Payment Plan Policies

Effective July 1, 2021.

1. **Everyone Gets 90 Days to Pay.** Your fines and court costs are due on the day you are sentenced for criminal or traffic convictions. However, if you cannot pay your fines and court costs on the trial date, you will automatically have 90 days to pay the amount in full with no additional fees assessed (except the 4% fee if you use a credit or debit card).
2. **Payment Plans are Offered.** If you need more than 90 days, you may enter into either a deferred payment plan, a modified deferred plan or an installment plan on your trial date or within 90 days.
3. **No Down Payment.** No down payment is required to enter into a payment plan on the trial date or within the first 90 days after the trial date.
4. **Account Management Fee.** If you are unable to pay in full within 90 days after your conviction, you will be charged a one-time fee of \$10.00.
5. **Deferred Plans.** Under a Deferred Plan, the amount due is expected to be paid in full by the end of its stated term, and no installment payments are required.
6. **Modified Deferred Plans.** Although there is no payment schedule with a Modified Deferred Plan, you agree to make best efforts to make regular monthly or other periodic payments.
7. **Installment Plans.** An Installment Plan means that you agree to pay in periodic installments of at least \$50 per month, or an amount approved by the Court based on your financial condition under paragraph 11. Installment plans are available as follows:
 - a. If you owe \$300 or less, the maximum term is 6 months (but see paragraph 8);
 - b. If you owe more than \$300, the term is figured at \$50 per month, but the maximum term is 12 months (but see paragraph 8).
8. **Renewal of Payment Plans in Good Standing.** If you need additional time to pay, you must apply to the Court for a new payment plan before the previous plan ends. If you are in good standing under a Deferred, Modified Deferred, or Installment Plan, the Clerk will allow you to extend your plan. If you live in Accomack or Northampton County, you must come to the Court in person to sign a new payment plan agreement (Form DC-210), before your initial payment plan ends.
9. **Failure to Pay – Default under a Deferred, Modified Deferred, or Installment Plan.**
 - a. If you fail to pay or arrange a payment plan within the first 90 days after the trial, you are in default.
 - b. If you have a Deferred Plan or a Modified Deferred Plan, and you fail to pay in full, as promised, before it ends, or if you fail to enter into a new payment plan before your Deferred or Modified Deferred Plan ends, you are in default.
 - c. If you have an Installment Plan, and you fail to pay any installment within ten days of the due date, or fail to pay during any calendar month, you are in default.
 - d. As a result of any default, your payment plan will be terminated, and a down payment will be required to enter into a new payment plan.

- e. **As a result of any default**, you may be JAILED and fined for failure to pay, and
 - f. **As a result of any default**, your case will be referred for further enforcement action as permitted by law. If your case is referred for collection enforcement action under section 19.2-349, the amount owed and collected will be increased to reflect the additional costs associated with collection action. Enforcement methods include garnishment of wages or bank accounts, seizure of assets, and seizure of a Virginia tax refund. Collection attorneys or collection agencies may be employed.
- 10. New Payment Plans After Default – Down Payment Requirement.** Even after a default, the Court will grant a new payment plan to help you pay off your fines and costs. However, after a default a down payment will be required. If you failed to make regular payments or pay at least one-half of the amount due under a Deferred or Modified Deferred Plan, the Clerk may require the new payment plan to be an Installment Plan. The down payment after a default will be:
- a. For amounts of \$500 or less, 10% of the amount due;
 - b. For amounts over \$500, 5% of the amount owed or \$50, whichever is greater.
- 11. Consideration of Your Financial Condition.** If you believe special circumstances should be considered, you may apply for a lower down payment or lower periodic payments. Consideration will be given to your financial resources, obligations, and any fines and costs owed to other courts. You will be required to fill out a financial statement in addition to the proposed payment plan. The Judge may review your written application and financial statement, or he may require you to appear in person in Court, before setting the down payment or the terms of a new payment plan. If your circumstances change, you may apply to the Court for a modification of your Payment Plan.
- 12. Change of Address.** You must inform the Court promptly of any change of address during the term of any payment plan.
- 13. Use of Fax and Mail.** If you live outside of Accomack and Northampton Counties, you may send a completed Payment Plan (form DC-210) or other required documents by fax or mail.
- 14. Methods of Payment.** The Court accepts cash, personal checks, money orders, and Mastercard and VISA debit and credit cards. If you use a debit or credit card, a 4% fee is added to each payment. Do not send cash by mail.
- 15. Community Service.** This Court has limited personnel and can offer only limited opportunities to perform community service in lieu of paying fines and costs. Community service is never allowed as a substitute for restitution (money owed to a victim of crime). To apply to perform community service, you must submit a proposal to the Court on or within 90 days after your trial date. Include the name of the nonprofit organization you propose to work for, its address and telephone number, and the name of the appropriate person to contact. If approved by the Court, community service must be performed within 90 days from the date community service is approved. Credit will be awarded for up to 24 hours of community service at the minimum wage in Virginia (currently \$9.50 per hour, then increasing to \$11.00 on January 1, 2022, and to \$12.00 on January 1, 2023,). Community service is supervised by a probation officer with the office of Community Corrections. Only one opportunity will be allowed during any one-year period. If you fail to submit satisfactory written proof of community service on or before the 90-day deadline for community service, no credit will be given, and all fines and costs must be satisfied with money instead of community service.

ORDER: The above policies are adopted for the Accomack and Northampton County General District Courts, pursuant to Section 19.2-354.1 of the Code of Virginia, and Rule 1:24 of the Rules of the Supreme Court of Virginia, as of July 1, 2021.



Gordon S. Vincent, Chief Judge