

**POLICY FOR FINES & COSTS**  
**ASSESSED BY THE County of Frederick and City of Winchester**  
**JUVENILE AND DOMESTIC RELATIONS COURT**  
**EFFECTIVE JULY 1, 2017**

Each defendant appearing before this Court who has been assessed fines, costs, restitution and/or penalties at sentencing is encouraged to pay any money due and owing on the date of appearance.

If the defendant requests a time to pay (via form DC210) the staff shall carefully review their financial situation to determine if indeed a deferred payment may be warranted. It is not this Court's intent to cause hardship on anyone's lifestyle but to collect the money due and owing the Commonwealth of Virginia. It is our policy that a payment agreement be entered into that is beneficial to both the defendant and the Commonwealth. This office offers a deferred payment, to be paid by a date certain, within a reasonable amount of time, or, in some cases, community service in lieu of payment. Any request to satisfy fines and costs by community service must be submitted to the Judge for determination. (19.2-354)

If the defendant is unable to pay the fines/costs/restitution on the day of judgment but CAN pay within 30 days, no default will occur. If the defendant cannot pay the monies owed within 30 days but CAN pay within 90 days the defendant can enter into a time to pay/deferred payment agreement at no additional charge. If the defendant requires longer than 90 days to pay the monies due, then the defendant can enter into a time to pay/deferred payment agreement for a fee of \$10.00 (which cannot be waived). This fee is a one-time fee and is to cover the costs of the management of the defendant's account until such time the account is paid in full. There will be no down payment required for an initial agreement.

In the event that the defendant needs an extension of an unexpired time to pay agreement the defendant may request an extension of their agreement. The defendant will have had to have made at least one payment and shown a good faith effort to pay their fines, costs, restitution and/or penalties. If the above has been done then an extension will be granted to be paid within a reasonable period of time.

**REQUESTS FOR REINSTATEMENT OF LICENSE DUE  
TO UNPAID FINES AND COSTS**

If possible, this Court would like to see the letter the defendant received from DMV notifying you of your suspension for unpaid fines and costs due this Court; this letter will also spell out any other courts to which the defendant may owe fines and costs. A new time to pay agreement will be required with each court before the DMV will issue a new license; DMV will also require a Reinstatement Fee to their agency.

After careful consideration of the defendant's ability to pay AND by filing a DC-211, this Court may agree to enter a new Time-to-Pay Agreement (DC210) for a deferred payment to be paid by a date certain. The defendant will need to make a down payment on their account and be able to show that they have an employment income or other steady ability to pay. Down payment minimum requirements are as follows:

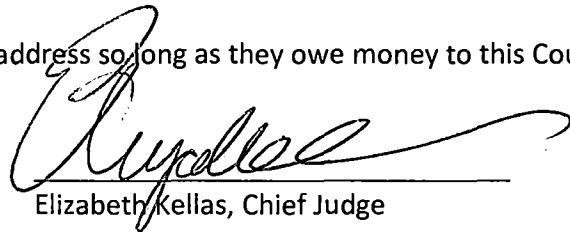
\$500 or less = 10% of such amount

\$500 or more = 5% of such amount or \$50, whichever is greater.

A defendant whose fines and costs have been referred to the collections process under Virginia Code 19.2-349 shall be eligible for a subsequent payment agreement with the court; however, this court can NOT stop the collection process. When monies are received in excess of the amount due, they will be refunded to the defendant.

Defendants shall keep this Court informed of their address so long as they owe money to this Court.

SEEN AND SO ORDERED:

A handwritten signature in black ink, appearing to read "Elizabeth Kellas", written over a horizontal line. The signature is fluid and cursive.

Elizabeth Kellas, Chief Judge