

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF CUMBERLAND

IN RE: DEFERRED PAYMENT PLAN GUIDELINES AND PROCEDURES FOR
COURT COSTS, FINES AND RESTITUTION

ORDER

When an individual is convicted of a felony or misdemeanor in the Cumberland County Circuit Court, court imposed fines and/or court costs will be assessed against the Defendant in accordance with the Code of Virginia. All fines and costs are due thirty (30) days from the date of sentencing unless otherwise ordered. If the Defendant cannot meet their obligation by this deadline, then a payment plan will be established by the Clerk or their appointee, based upon the financial conditions of the Defendant. If restitution is included in assessed costs, restitution will be incorporated in these stated guidelines. **All payments received will be applied to restitution first**, and then remaining payments received will be applied to the court costs and fines.

In accordance with Code Section 19.2-349, failure to pay fines/restitution or entering into and staying current on a payment agreement within 30 days of the date of judgment will incur a 17% penalty "to help offset the costs associated with employing such individuals or contracting with such agencies or individuals" assisting in collection. **The Clerk cannot remove, reduce, or alter this fee.** Any other terms set forth in these guidelines are subject to the Clerk's or Judge's discretion.

A \$50.00 down payment is required to enter into a payment plan unless regular payments have been made to the Defendant's fines and costs. A \$100.00 down payment is required to enter into a second payment plan. These required payments can be waived or modified by the Clerk based upon the financial conditions of the Defendant and their previous payment history.

Payments will be accepted by cash, check or money order for court costs and fines. Payments for restitution are to be in the form of cash, certified check or money order. All checks returned by the bank for insufficient funds may be assessed a returned check fee of \$50.00 or 10%, whichever is greater, based on the payment amount. The amount of the returned check, plus the returned check fee, will be credited back to the Defendant's account.

The Defendant's failure to comply with the deferred payment plan will result in the Defendant's driver's license or privilege to drive a motor vehicle being suspended. In addition, DMV will revoke automobile registration certificates and plates and/or refuse to issue new registration or plates until paid. Unpaid fines/restitution will be reported to collections and interest may begin accruing on the unpaid balance. The Defendant must promptly inform the court of any change of mailing address during the term of the payment agreement.

The Clerk shall be able to administratively amend any payment plan in the event additional costs should be assessed and/or the financial conditions of the Defendant changes.

ENTERED this 1st day of July, 2015



JUDGE