



FRANKLIN COUNTY  
OFFICE OF  
CLERK OF THE CIRCUIT COURT  
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TERESA J. BROWN, CLERK

CLYDE H. PERDUE, JR., JUDGE

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

Pursuant to Virginia Code § 19.2-354 the following are the guidelines for deferred or installment payments to the Franklin County Circuit Court:

1. The judge or clerk will set the amount and due date of monthly payment at the time of sentencing or upon application of deferred payment plan..
2. The defendant shall endorse form CC1351 and a copy will be placed in the defendants file. The minimum monthly payment shall be \$100.00 unless extenuating circumstances exist that would allow for a lesser amount. The judge or clerk will approve any such exceptions.
3. 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. Defendant's operator's license or privilege to drive a motor vehicle will be automatically suspended by the Division of Motor Vehicles.
4. If defendant requests a second payment plan after being in non-compliance with the initial payment agreement, defendant shall make a good faith payment of \$50.00 after which the clerk may set a monthly payment and grant defendant a second payment plan.
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.

**METHODS OF PAYMENT:** Defendant may pay fines, costs and restitution by cash, personal check and company check from employers, money orders, cashier checks and certified checks. All checks shall be payable to: Clerk of Circuit Court. Also accepted are VISA, MASTERCARD, AMERICAN EXPRESS, DISCOVER.

Pursuant to Virginia Code Section 19.2-353.3, the clerk of the court to whom the dishonored check or credit or debit card was tendered may impose a fee of \$50.00 or 10 percent 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.**

*Teresa J. Brown, Clerk*

TERESA J. BROWN, CLERK