EDWARD F. JEWETT
CLERK

CIRCUIT COURT
OF THE
CITY OF RICHMOND

CECELIA M. HARGROVE
CHIEF DEPUTY CLERK

TAMMY J. TAYLOR
ASSISTANT CHIEF DEPUTY CLERK

INSTALLMENT AND DEFERRED PAYMENTS

(Effective July 1, 2017)

All unpaid costs and fines totaling more than $50.00 are eligible for an Installment or Deferred Payment Agreement. Deferred payment of fines and costs, restitution payments and community service credits will be made in accordance with the Court's Order. Restitution payments are to be made in accordance with the Court's Order for Restitution. Any sums collected shall be used first to satisfy such restitution order and any collection costs associated with restitution prior to being used to satisfy any fine, forfeiture, penalty, or costs assessed against a defendant.

Effective July 1, 2013, in accordance with Code 19.2-349, accounts which initially become delinquent and transmit to collections on or after July 1, 2013 will be assessed a fee (currently 17% of the judgment principal) to help defray the expense associated with outside collection efforts. The Clerk cannot remove, reduce, or alter this fee.

WITHIN 30 DAYS OF THE SENTENCING DATE:

The defendant may appear in the Clerk's office and request payment arrangements and will be required to sign form CC-1379 *Order and Notice of Deferred Payment or Installment Payments* which will serve as the Agreement between the defendant and the Court.

- If a defendant cannot pay the costs and fines in full by the due date, the Clerk may enter into a payment agreement with the defendant to pay the balance over time, conditioned upon monthly payments received on time. The minimum payment is $50.00 per month. The first payment is due at the time the agreement is signed. Alternatively, the Clerk can defer payment in full for six months. Any agreements outside these parameters, or for modification of a non-delinquent payment agreement, will need approval by a judge, as will community service agreements. ***Please see the Notice of Alternative Payment Plans link on the right side of this page.***

- Payments are due every 30 days thereafter until paid in full. Late or missed payments will result in the account defaulting and transmitting to collections and notification to DMV for license suspension and other action as the Court may direct.

- Second Installment payment requests, after initial default, will be allowed, but will be handled through the court's collection agent. Second and all subsequent payment agreements, if allowed, will require a down payment of 10% of a balance or $500 or less; 5% of a balance of more than $500, or $50, whichever is greater. The down payments cannot be waived.

AFTER 30 DAYS FROM THE DATE OF SENTENCING (ACCOUNT DELINQUENT) OR UPON DEFAULT OF PAYMENT AGREEMENT:

The account will transmit to DMV for license suspension, and requests for payment arrangements must be entered into at the collection agent's office. Upon Default of a payment agreement, the Court will require a down payment of 10% of a balance of $500.00 or less; 5% of a balance of $500.00 or more, or $50.00, whichever is greater. The down payment cannot be waived.

AFTER 90 DAYS FROM THE DATE OF SENTENCING (ACCOUNT DELINQUENT) OR UPON DEFAULT OF PAYMENT AGREEMENT:

The account will be reported to the Department of Taxation, the State Compensation Board, the Attorney for the Commonwealth, and the Court's Collection Agent. In addition, a collection fee pursuant to Code 19.2-349, currently 17% of the principal balance due will be applied to the account. Upon default of a payment agreement, the Court will require a down payment of 10% of a balance of $500.00 or less; 5% of a balance of $500.00 or more, or $50.00, whichever is greater. The down payment cannot be waived.

Virginia:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

NOTICE OF PAYMENT ALTERNATIVES FOR FINES AND COSTS

Pursuant to Section 19.2-354.1 and 19.2-354 (c) of the Code of Virginia

If you are unable to pay fines and costs for the offense(s) of which you were convicted within 30 days of said conviction, the Court offers you the opportunity to enter into a deferred payment plan, a modified deferred payment plan, or an installment plan. You may also request Court approval to perform community service through a non-profit organization registered as a 501(c) (3) with the IRS in lieu of or to defray fines and costs upon certain terms and conditions generally including a requirement that a minimum of 5 hours of community service must be performed every month for a period of one year, and a credit of $10.00 per hour for each hour of community service performed. However, community service is not available to repay restitution, interest on restitution, and any collection fee for restitution.

Any payment received within 10 days of the due date will be considered timely made.

At any time during the duration of your payment plan, you may ask the Court to modify your plan. A request for modification will be granted on a good faith showing of need, however you must appear in the Clerk's office and complete the attached form DC-211 providing your financial information.

If you have defaulted on your payment plan, you may ask the Court to approve a new payment plan. The Court will consider any changes in your circumstances in determining whether to approve the request. A down payment will be required if you have defaulted on a payment plan, which will be 10% of a balance of $500.00 or less; 5% of a balance of $500.00 or more, or $50.00, whichever is greater.

You may apply for one of the below payment arrangements in the Clerk's Office of the Richmond Circuit Court. If you would like to request a payment plan with guidelines other than those listed below or you would like to perform community service in lieu of fines and costs, you must complete the attached form DC-211 providing your financial information and it will be submitted to a judge. **You must contact the Clerk's Office five to seven days after the request is submitted to learn the Court's decision or you risk being in default**. The Clerk's Office can be reached at 804-646-6553.

Please select a payment plan option:

____**DEFERRED PAYMENT PLAN:** The defendant pays all outstanding fines and costs within 6 months.

____**INSTALLMENT PAYMENT PLAN:** Unpaid fines and costs paid at a minimum rate of $50 per month.

Defendant Name _____ Date_____

Address _____

Phone Number _____

Virginia:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

Defendant _____ Date_____

Case Nos. _____

_____I do not have the financial resources to meet the guidelines established for the payment of unpaid fines and costs. Therefore, I wish to enter into a Deferred Payment Plan and pay my unpaid fines and costs in _____ months.

AND/OR

_____I wish to enter into an installment payment plan and pay: _____ per month.

AND/OR

_____I wish to perform community service to defray the unpaid fines and costs and receive a credit of $10 per hour for each hour of community service performed. A minimum of 5 hours of community service must be performed each and every month.

Explain in your own words why you require a reduced/alternative payment plan and/or community service (optional):

.....

.....

.....

_____ _____

(Signature) (Date)

This request will not be considered until you have completed the attached form DC-211.

COURT USE ONLY:

APPROVED_____ **DENIED** _____

OTHER_____

_____

Judge _____ **Date** _____

Clear All Data

PETITION FOR PAYMENT AGREEMENT
FOR FINES AND COSTS OR
REQUEST TO MODIFY EXISTING AGREEMENT

Commonwealth of Virginia VA. CODE § 19.2-354.1

Case No(s). .....
.....
.....

[ ] General District Court [ ] Circuit Court
..... [ ] Juvenile and Domestic Relations District Court
CITY OR COUNTY

.....
COURT ADDRESS

[ ] Commonwealth of Virginia **v.** .....
DEFENDANT/JUVENILE

[ ] .....

....
ADDRESS OF DEFENDANT/JUVENILE SOCIAL SECURITY NO.

....
CITY STATE ZIP TELEPHONE NO.

I cannot pay the fines, costs, forfeiture, restitution (if not otherwise ordered), and/or penalty of $ ..... in full at this time.

[ ] I respectfully petition the court to allow me to pay the fines, costs, forfeiture, restitution (if not otherwise ordered) and/or penalty plus any additional court-appointed attorney fee, if applicable,
- [ ] in periodic payments OR
- [ ] in one payment due in full on a future date
  - [ ] and I shall try to make periodic payments until that future date AND/OR
- [ ] by doing community service work to earn credit for fines and costs only, if available.

[ ] I respectfully request that the court modify my existing payment agreement for the following reasons:

.....

Court Debt Owed in Other Courts:

[ ] I currently owe unpaid fines, costs, forfeiture, restitution, and/or penalty in ..... other courts.
NO.

[ ] I owe a total of $ ..... in those other courts. [ ] I do not know the total of unpaid court debt owed.
TOTAL OWED

[ ] I pay a total of $ ..... per month towards that unpaid court debt. [ ] DMV summary attached.

[ ] I do not have unpaid court debt in other courts.

Financial Information:

[ ] The information provided to this court by defendant on Form DC-333, FINANCIAL STATEMENT – ELIGIBILITY DETERMINATION FOR INDIGENT DEFENSE SERVICES, as previously submitted, is unchanged.

OR

[ ] This information is provided to this court below in support of this Petition or Request:

Public Assistance:

[ ] I currently receive the following type(s) of public assistance:

[ ] TANF $ ..... [ ] Medicaid [ ] Supplemental Security Income $ .....

[ ] SNAP (food stamps) $ ..... [ ] Other (specify type and amount) .....

[ ] I do not receive public assistance.

Employment:

[ ] I am employed.

[ ] I am not currently employed and it has been ..... months since I was last employed.

	Employer(s)	Occupation
Defendant	..... [ ] self-employed	.....
Spouse	..... [ ] self-employed	.....

Number of Dependents .....

Household Net Income:	Defendant	Spouse
Take-Home Pay (after taxes, etc.)	$	$ .....
Pay Period (weekly, every 2 weeks, twice monthly, monthly)	$	$ .....
Other Income Sources (specify)	$	$ .....
Income Contribution of Dependents	$	$ .....
TOTAL NET INCOME =		**$ .....**

Case No. .....

	Defendant		Spouse
Assets:			
Bank Accounts/Cash on Hand	$		$ .....
Other Assets (specify) ..... with a value of	$		$ .....
Real Estate – $ ..... NET VALUE	$		$ .....
Motor Vehicles ..... YEAR AND MAKE ..... YEAR AND MAKE			
Other Personal Property: (describe)	$		$ .....
.....			
TOTAL ASSETS =		**$ .....**	
Debts Owed (amount paid per month):			
Car payment	$		$ .....
Rent/mortgage payment	$		$ .....
Credit card payments	$		$ .....
Other monthly payments (not including court debt payments)	$		$ .....
TOTAL MONTHLY DEBTS =		**$ .....**	

EXCEPTIONAL EXPENSES (Total Exceptional Expenses of Family)

Medical Expenses (list only unusual and continuing expenses) ..... $ .....

Court-ordered child support payments/alimony ..... $ .....

[ ] deducted from paycheck [ ] not deducted from paycheck

Child-care payments (e.g. day care) ..... $ .....

Other (describe):

..... $ .....

TOTAL EXCEPTIONAL EXPENSES $ .....

THIS STATEMENT IS MADE UNDER OATH, ANY FALSE STATEMENT OF A MATERIAL FACT TO ANY QUESTIONS CONTAINED HEREIN SHALL CONSTITUTE PERJURY UNDER THE PROVISIONS OF VA. CODE § 18.2-434. THE MAXIMUM PENALTY FOR PERJURY IS CONFINEMENT IN THE STATE PENITENTIARY FOR A PERIOD OF TEN YEARS.

I hereby state that the above information is correct to the best of my knowledge.

..... DATE

_____ DEFENDANT

Sworn to and signed before me this

..... day of ....., 20 .....

_____ [ ] CLERK [ ] DEPUTY CLERK

FOR NOTARY PUBLIC'S USE ONLY:

State of ..... [ ] City [ ] County of .....

Acknowledged, subscribed and sworn to before me this ..... day of ....., 20 ..... .

..... NOTARY REGISTRATION NUMBER

_____ NOTARY PUBLIC
(My commission expires: .....)

ORDER FOR REQUEST TO MODIFY EXISTING PAYMENT AGREEMENT

Upon request to modify an existing payment agreement,

[ ] the request is granted based upon a good faith showing of need, and the new payment agreement is set forth on form

[ ] DC-210, ACKNOWLEDGMENT OF SUSPENSION OR REVOCATION OF DRIVER'S LICENSE

[ ] CC-1379, ACKNOWLEDGMENT OF SUSPENSION OR REVOCATION OF DRIVER'S LICENSE/ORDER AND NOTICE OF DEFERRED PAYMENT OR INSTALLMENT PAYMENTS.

[ ] the request is denied, and the current payment agreement continues in full force and effect.

..... DATE

_____ [ ] JUDGE [ ] CLERK [ ] DEPUTY CLERK