



THOMAS P. SOTELO
CHIEF JUDGE

GAYL BRANUM CARR
KIMBERLY J. DANIEL
GLENN L. CLAYTON III
HELEN LEINER
JANINE M. SAXE
TODD G. PETIT
JUDGES

COMMONWEALTH of VIRGINIA

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT
19TH JUDICIAL DISTRICT
4110 CHAIN BRIDGE ROAD -THIRD FLOOR
FAIRFAX, VA 22030-4043
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BARBARA S. MORAN
CLERK OF COURT

FRANK L. DEIRHOI
JANE P. DELBRIDGE
MICHAEL J. VALENTINE
TEENA D. GRODNER
RETIRED JUDGES

ARNOLD B. KASSABIAN
1976-1994

PHILIP N. BROPHY
1974-1980

FAIRFAX COUNTY JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT **FINES, OTHER PENALTIES AND COSTS POLICY**

1. All fines imposed and costs taxed in a criminal or traffic prosecution are due and payable at the time of the final hearing or when judgment is otherwise imposed by the Court. Va. Code Ann. Sec. 19.2-340.
2. All other penalties other than fines and costs taxed in any proceedings are due and payable at the time of the final hearing or when judgment is otherwise imposed by the Court. Va. Code Ann. Sec. 19.2-341.
3. If a person responsible for the payment of fines, other penalties and costs is not able to make payment at the time of the final hearing or when judgment is otherwise imposed by the Court, then said person shall be entitled to a thirty (30) day extension to pay without further order of the Court. Va. Code Ann. Sec. 19.2-349.
4. Personal checks and credit or debit cards shall be accepted in lieu of money to collect and secure all fees, fines, restitution, forfeiture, penalties and costs collected for offenses, including motor vehicle violations. Va. Code Ann. Sec. 19.2-353.3.
5. A reasonable convenience fee of four percent (4%) for the use of a credit or debit card will be added to the payment of all fees, fines, restitution, forfeiture, penalties or costs to be paid by credit or debit card. Va. Code Ann. Sec. 19.2-353.3
6. If a check is returned unpaid by the financial institution on which it is drawn or notice is received from the credit or debit card issuer that payment will not be made, for any reason, the fees, fine, restitution, forfeiture, penalty or costs shall be treated as unpaid, and the Court may pursue all available remedies to obtain payment. If a person tenders a check or credit or debit card which is dishonored, a fee of \$50 or 10 percent of the value of the payment, whichever is greater, may be imposed in addition to the fine and costs already imposed. Va. Code Ann. Sec. 19.2-353.3.
7. Acceptance of checks or credit or debit cards of an individual may be refused if (i) he has been convicted of a violation of Chapter 6 (§ 18.2-168 et seq.) of Title 18.2 in which a check, credit or debit card, or credit or debit card information was used to commit the offense, (ii) he has previously tendered to the Court a check which was not ultimately honored or a credit or debit card or credit or debit card information which did not ultimately result in payment by the credit or debit card issuer, (iii) authorization of payment is not given by the bank or credit or debit card issuer, (iv) the validity of the check or credit or debit card cannot be verified, or (v) the payee of the check is other than the Court. Va. Code Ann. Sec. 19.2-353.3.
8. No interest shall accrue on any fine or costs imposed in a criminal case or in a case involving a traffic infraction for a period of 40 days from the date of the final judgment imposing such fine or costs or during any period the defendant is incarcerated. When interest accrues, it accrues at the judgment rate of interest as provided by law. Va. Code Ann. Sec. 19.2-353.5.

9. A person who owes fines and costs on which interest has accrued during a period of incarceration may move the Court to waive the interest that accrued on such fines and costs during such period of incarceration. Va. Code Ann. Sec. 19.2-353.5.
10. Interest shall not accrue in such cases during any period in which a fine, costs, or both a fine and costs are being paid in deferred or installment payments pursuant to an order of the court. Va. Code Ann. Sec. 19.2-353.5.
11. If a person is unable to make payment of the fine, restitution, forfeiture, or penalty and costs within thirty (30) days of the final hearing or when judgment is otherwise imposed by the Court, the person may file a petition, under oath, on a form provided by the Court, to pay the fine, restitution, forfeiture, or penalty and costs in deferred payments or installments with the Court. The person must file the petition within thirty (30) days of the final hearing or when judgment is otherwise imposed by the Court.

The Clerk of Court is authorized to establish and approve any individual deferred or installment payment agreements which result in satisfaction of all fines, restitution, forfeiture, or penalty and costs within ninety (90) days of the expiration of the thirty (30) day period referenced above. Any other deferred or installment payments agreements that propose payments in excess of ninety (90) days must be filed and approved by the Court prior to the expiration the thirty (30) days period referenced above.

A person who enters into a deferred payment agreement will be required to make a down-payment (to be determined by the Clerk of Court or the Court but not to exceed twenty-five percent (25%) of all fines, restitution, forfeiture, or penalty and costs) to enter into such arrangement as determined by the Clerk of the Court or designee or the Court.

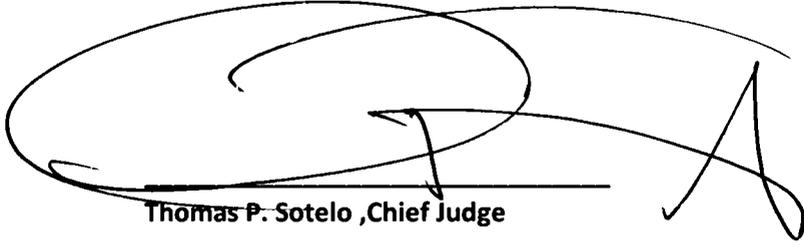
A person who enters into an installment or deferred payment agreement shall promptly inform the Court of any change of mailing address during the term of the agreement.

Upon the failure of the person to pay as authorized by a deferred payment or installment payment agreement, the person may be fined or imprisoned and his privilege to operate a motor vehicle will be suspended.

Va. Code Ann. Sec. 19.2-354, -358.

12. Any person upon whom a fine and costs have been imposed may discharge all or part of the fine or costs by earning credits through participation in the Fairfax County Sheriff Department's Fines Options Program (FOP). Failure to pay all fines or costs through participation in the FOP may result in the person being fined or imprisoned and his privilege to operate a motor vehicle being suspended. Va. Code Ann. Sec. 19.2-354.
13. A person's failure or refusal to provide for immediate payment in full of any fine, costs, forfeiture, restitution, or penalty lawfully assessed against him, or failure to make deferred payments or installment payments as ordered by the Court or failure to make payments by entering into the Fairfax County Sheriff Department's Fines Options Program shall result in the Court suspending the person's privilege to drive a motor vehicle on the highways of the Commonwealth. The driver's license of the person shall continue suspended until the fine, costs, forfeiture, restitution, or penalty has been paid in full. Va. Code Ann. 46.2-395.
14. If a person, after having his license suspended, pays the reinstatement fee to the Department of Motor Vehicles and enters into an agreement, that is acceptable to the Court, to make deferred payments or installment payments of unpaid fines, costs, forfeitures, restitution, or penalties previously ordered by the Court, the person's driver's license shall be restored. Va. Code Ann. 46.2-395.
15. A person whose fines and costs have been referred to collection shall nevertheless be eligible to enter into an initial or subsequent payment plan with the Court.
16. If a person is unable to make payment within 30 days of the final hearing or when judgment is otherwise imposed by the Court, the Court may, except as otherwise provided by law, assess a one-time fee not to exceed

\$10 to cover the costs of management of the person's account until such account is paid in full. Va. Code Ann. Sec. 19.2-354.



Thomas P. Sotelo, Chief Judge

10/4/2016
Date