

VIRGINIA: IN THE CIRCUIT COURT OF CAMPBELL COUNTY:

**In Re: Deferred or installment payment Agreements for the
Collection of Fines and Costs**

ORDER

In accordance with Section 19.2-354 and 19.354.1 of the Code of Virginia of 1950, as amended, and pursuant to Rule 1:24 of the Supreme Court of Virginia, it is ADJUDGED, ORDERED, and DECREED that written notice is hereby provided to any defendant who is unable to pay in full restitution, fines and costs for a particular offense within 30 days of sentencing by this Court that such defendant shall have the opportunity to enter into a deferred payment agreement, a modified deferred payment agreement, or an installment payment agreement to pay those fines and costs, or such defendant may earn credit toward discharge of fines and costs through performance of community service work arranged by the defendant. Credit for performance of community service work will be awarded at the rate of \$10.00 per hour upon presentation to the Clerk's Office of satisfactory documentation of the nature and amount of community service performed during a 30 day period.

In determining the length of time to pay under a deferred, modified deferred, or installment payment agreement and the amount of the payments, the Court shall consider the defendant's

financial resources and obligations as set forth on a form developed by the Executive Secretary of the Supreme Court or conduct an oral examination.

A down payment will not be required as a condition of a defendant entering an initial deferred, modified deferred, or installment payment agreement. If defendant defaults on his initial payment agreement, then the defendant shall complete and submit the form provided by the Campbell County Circuit Court requesting to enter into a subsequent payment agreement, provided that (i) if the fines and costs owed are less than \$500, the required down payment shall be 10 percent of the owed amount owed or (ii) if the fines and costs are more than \$500, the required down payment shall be 5 percent of the amount owed or \$50, whichever is greater. Va. Code 19.2-54.1(E).

The Clerk is authorized to allow defendants to enter into any subsequent agreement.

At any time during the duration of a payment agreement, the defendant may request a modification of the agreement in writing on a form provide by the Executive Secretary of the Supreme Court, and the Court may grant such modification based on a good faith showing of need. As a condition of any payment agreement, the defendant must promptly inform the Court of any change of mailing address during the term of the agreement.

The clerk will post notice of this order in the Clerk's Office and on the Court's website, and certify a copy of this order to Jenny Perilli in the Department of Legislative and Public Relations in the Office of the Executive Secretary of the Supreme Court.

Enter: 11/23/2020
John T. Cook

John T. Cook, Judge