

Craig County Circuit Court
Deferred Payment/Installment Policy
("Time-To-Pay-Policy")

Pursuant to Virginia code 19.2-354, it is the responsibility of the circuit court to make arrangements for collection of fines, cost and restitution. The court has assigned these duties to the clerk of the circuit court. The following is your guide for the purposes of setting up time-to-pay plan with this court.

Payment plans and their terms are set by the clerk. This is the written plan, signed by you, and which gives you certain rights when you are in full compliance.

If you disagree with payment plan and terms set by the clerk, you may request that the clerk place the matter on the court's docket for the judge to decide the matter.

The defendant is given notice of all fines, cost, restitution, and assessment at the conclusion of the criminal case. This notice may be amended as invoices from providers are submitted. The clerk shall send a notice of such amendment to your last known address, and it is available by contacting the clerk.

The defendant is required to complete a form entitled: "Petition for deferred or installment payment of fines/costs."

The first payment on the plan is due at the time the plan is implemented and takes effect.

If default in payment occurs, the plan is terminated, and the defendant must petition the circuit court for a new payment plan.

These terms are general guidelines that may be amended at the discretion of the clerk. Decisions as to plans are made on a case-by-case basis since people's situations vary.

In any case in which a defendant owes fines and costs and where such defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments at least until such time that such defendant has a resource other than a Social Security benefit or Supplemental Security Income. If such defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to § 19.2-349. Courts shall include in payment plan policies developed in accordance with §§ 19.2-354 and 19.2-354.1 that where the court is informed that a defendant receives a Social Security benefit or Supplemental Security Income, no payment toward fines and costs shall be taken from such exempt resource.

Community service at approved locations, in lieu of money payments, may be and option to discharge fines and cost (but not restitution). The community service must be approved **in advance** by the **court or probation officer**. The clerk **cannot** approve community service.

10-4-2024 Shawn P. Oliver, Clerk