

**Virginia: City of Williamsburg and the County of James City Circuit Court**

**Policy for Payments of Assessed Court Costs/Fines/Restitution**

**July 1, 2024**

A Defendant must report to the Clerk's Office after sentencing unless otherwise advised or taken immediately into custody. Once a defendant reports to the Clerk's Office he/she may enter into a payment agreement without a down payment, unless this defendant is delinquent on prior court costs to this Court. The defendant's payment plan amount may vary depending on financial circumstances and will be determined by the Clerk/Deputy Clerk. The amount also may refer to anything ordered by the Judge in Court. The goal of this Office is to help in being successful in paying your court costs and restitution.

Upon a defendant's release from incarceration, he/she should contact the Clerk's Office to let the Clerk/Deputy Clerk know of their release date and any desire to enter into a payment agreement with this Court.

Once a defendant has defaulted on any payment plan, he/she must contact the Clerk's office to re-apply for a new payment agreement. The Clerk's Office will require signed paperwork along with first payment to set any plan back into effect. Once the plan is re-established, the Clerk's Office will notify the Court Debt Collections Office with the Tax Department if any garnishments are in place. Please note that the Clerk's Office cannot force the Court Debt Collections Office to remove the garnishment any faster than their policy allows.

The defendant may also setup Community Service if there is no Restitution owed and the account is not already in default. The defendant must get approval from the Clerk's Office prior to turning in any Community Service Hours. Defendants will be given 7 days to return the approval form with the location that has been selected along with all required location information. All hours must be completed on the due date that will be provided which is assigned by the Clerk's Office. Currently the "Rate of Pay", will correspond with the current Commonwealth of Virginia minimum wage.

Please note that if your sole financial resource is a Social Security benefit or Supplemental Security Income, then you are not required to pay until you have another resource or income. As long as your sole income remains unchanged, your account will not go to collections. You as the defendant are responsible for letting the Clerk's Office know of any changes. Please understand that any Restitution that you may have been Ordered to pay is not included in the exemption of payment and is due as the Court has ordered.

July 1, 2024  
Date

Elizabeth E. O'Connor  
Clerk of Circuit Court

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**VIRGINIA: THE CIRCUIT COURT OF CITY OF WILLIAMSBURG AND COUNTY  
OF JAMES CITY**

**AMENDED  
CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY CIRCUIT COURT  
COMMUNITY SERVICE ALLOWANCE RATE**

This Clerk's Office will adopt a new rate of allowance for Community Service hours performed to pay towards Criminal Fines and Costs. Beginning May 1, 2021, the Circuit Court will adopt the rate of the current recognized minimum wage of the Commonwealth of Virginia per §40.1-28.10.

4/26/21  
DATE

ENTER:   
JUDGE **Michael E. McGinty**

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND THE  
COUNTY OF JAMES CITY

IN RE: Payment Agreement Down Payments for Court Costs and Restitution

ORDER

It is Ordered that when a down payment for any time to pay agreement or any payment agreement in default, the Clerk or Deputy may adjust the down payment amount required according to the status or ability of the defendant's circumstances so that the payment agreement will be successful, in lieu of what is required by §19.2-354 and 19.2-354.1 of the *1950 Code of Virginia*, as amended.

This Order is Nunc pro tunc July 1, 2017.

ENTERED:

  
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Michael E. McGinty, Judge

DATE: 1/26/18