

# Fauquier County General District Court

## Policy on Payment of Fines, Costs, and Restitution

Any defendant convicted of a traffic infraction or a violation of any criminal law of the Commonwealth or of any political subdivision thereof, who is sentenced to pay a fine, forfeiture, or penalty will have 90 days to pay the fine, forfeiture, or penalty, or costs in full. If the defendant is unable to pay the amount owed in full within the 90-day period, the defendant may enter a payment plan with the Court; however, a \$10 fee will be assessed by the Court to cover the costs of management of the defendant's account until such account is paid in full. A defendant who enters an installment or deferred payment plan shall promptly inform the Court of any change of mailing address during the term of the agreement.

If a defendant's sole resource is a social security payment or supplemental security income, then the defendant is exempt from making payments until the defendant has another resource. In addition, the amount owed by that defendant may not be sent to collections. In deciding the terms of a payment agreement, the court will not consider any social security benefit or supplemental security income.

If the defendant owes court-ordered restitution, the defendant will be required to pay such restitution in accordance with the timeline contained in the Restitution Order. If a defendant cannot pay within the court-ordered timeframe, the defendant may request for an extension by filing a motion for an extension which will be docketed for hearing at 11:30 a.m. with proper notice to the Commonwealth Attorney's office.

All monies collected by a defendant shall be first used to satisfy any outstanding restitution order and any collection costs associated with restitution prior to being used to satisfy any other fine, forfeiture, penalty, or costs owed, unless an order for restitution is docketed in the name of the victim or it is ordered that an assignment of the judgment to the victim be docketed.

The Court accepts cash, personal checks, money orders, debit, and credit cards. A 4% convenience fee is assessed for any debit/credit card transactions. **Do not send cash by mail.**

Any defendant who is unable to pay a fine and/or costs, may apply to the Court to perform community service in lieu of paying fines, penalties, or costs. To apply to perform community service, the defendant must submit a motion to the Court within 90 days after the trial date. If approved by the Court, community service must be performed within the time period and at the rate approved in the plan. Credit will be applied at the minimum wage in Virginia which is currently \$12.00 per hour.