



COMMONWEALTH of VIRGINIA
PORTSMOUTH GENERAL DISTRICT COURT

Jon M. Babineau, Sr.
Chief Judge

Elliott O. Moody
Judge

Kelly N. Boyd
Clerk of Court

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Payment Agreement Policy for Criminal and Traffic Debt
Portsmouth General District Court

The following policy is in effect for all fines and costs assessed for criminal and traffic matters:

EFFECTIVE July 1, 2024

- All fines and costs are due on the date that the case is concluded, and the account is created, unless the court enters a time to pay agreement allowing the defendant more than 90 days to pay. In this instance the due date is the date they agreed to pay the account in full.
- If the fines and costs are not paid in full within **90 days**, the case will go to collections and the collection fee will be **assessed (17%)** of the balance due at the end of the month. Also, if the account is not paid in full by 180 days, on the 181st day, the account will begin to accrue interest.
- Defendants who are unable to pay fines and costs within the 90-day period after sentencing may enter into one of the following agreements:
 - **Deferred Payment Agreement:** a deferred payment agreement is defined as “an agreement in which no installation payments are required, and the defendant agrees to pay the full amount of the fines and costs at the end of the agreement’s stated term”.
 - **Installment Payment Agreement:** an installment payment agreement is defining as “an agreement in which the defendant agrees to make monthly or other periodic payments until the fines and costs are paid in full”.
 - **Modified Deferred Payment Agreement:** a modified deferred payment agreement is defined as “a deferred payment agreement in which the defendant also agrees to use best efforts to make monthly or other periodic payments”.
- Defendants who wish to have their fines and costs extended past the **90-day** payment agreement, will have a **\$10 fee assessed** to their account.
- **Defaulted agreements:** Defendants who default on previously agreed upon payment agreements may be granted an additional opportunity to enter into one of the agreements listed above. If granted, the agreement can require a down payment to enter into a subsequent payment agreement shall not exceed:

- If the fines and costs owed are \$500 or less, 10% of such amount
 - If the fines and costs owed are more than \$500, 5% of such amount or \$50, whichever is greater.
- If restitution is ordered payments are to be paid in the clerk's office; restitution payments will be assessed first to the defendants account before court costs are paid. If a restitution account is delinquent, then the collection fee will be assessed.

If your sole financial resource is a Social Security benefit or Supplemental Security Income (SSI), then you are not required to pay until you have another source of income. If your sole income remains unchanged, your account will not go to collections. Please understand that any restitution that you may have been ordered to pay is not included in this exemption of payment and is due as the court has ordered. You must inform the court to apply this exemption.