

## Suffolk General District Court Payment Policy for Fines and Costs

Fines and costs, if imposed by the Court, are due on the day of the trial. Pursuant to Virginia Code §§ 19.2-354, 19.2-354.1, 19.2-355, 19.2-358, and Rule 1:24 of the Rules of the Supreme Court of Virginia, this Court offers deferred, modified deferred, and installment payment agreements for any person seeking additional time to pay or seeking reinstatement of a suspended license for non-payment of fines, costs, forfeitures, restitution or payments lawfully assessed pursuant to the following guidelines:

- A. All defendants who are unable to pay their fines and costs in full shall be given the opportunity to enter into a deferred payment agreement, modified deferred payment agreement, or installment payment agreement.
- B. In determining the length of time to pay, the Court will consider the defendant's financial resources and obligations, including any fines and costs owed by the defendant in other courts. In assessing the defendant's ability to pay, the Court will use a written financial statement, on a form provided by the Executive Secretary of the Supreme Court or conduct an oral examination of the defendant.
- C. A one-time fee of \$10 will be assessed upon entering into any payment agreement wherein the defendant is unable to make payment in full within ninety (90) days of sentencing (except for cases in which costs are assessed pursuant to §§ 17.1-275.1, 17.1-275.2, 17.1-275.4, 17.1-275.7, 17.1-275.8, or 17.1-275.9)
- D. The defendant is required to promptly inform the Court of any change in mailing address during the term of any payment agreement.
- E. All fines and costs that the defendant owes for all cases in this Court will be incorporated into one payment agreement, unless otherwise ordered by the Court in specific cases. Such payment agreement will not include outstanding fines and costs for which the limitations period set forth in § 19.2-341 has run.
- F. A payment is not considered late if paid within ten (10) days of its due date.
- G. During the duration of a payment agreement, the defendant may request a modification in writing on a form provided by the Executive Secretary of the Supreme Court.
- H. All fines and costs that the defendant owes may be incorporated into one payment agreement, unless otherwise ordered by the Court in a specific case or where the limitation period set forth in §19.2-341 has run.
- I. All defendants entering a deferred, modified deferred, or installment payment agreement are required to file a petition, under oath, with the Court, upon a form by provided by the Court, setting forth his/her financial condition; a copy of such petition will be provided to the defendant.
- J. No minimum down payment is required for the initial payment agreement; however, a minimum down payment is required in a subsequent payment agreement (see below).
- K. As a condition of a defendant being permitted to pay fines/costs on as referenced above, he/she is required to be of peace and good behavior until paid in full.
- L. If a defendant fails to pay pursuant to a deferred or installment payment agreement, he/she may be fined or imprisoned.

Fines and costs will not be sent to collections unless they are still outstanding after ninety (90) days, except as required by law. No interest will accrue on any fines or costs imposed in a criminal case or traffic infraction for a period of one hundred eighty days (180) days following final judgment,

during any period of incarceration, and for one hundred eighty (180) days following the date of a defendant's release from incarceration if sentenced to an active term.

When a defendant has defaulted on a payment agreement, he/she may petition the Court for a subsequent payment agreement. The Court will consider any change in the defendant's circumstances when determining whether to approve the request. If a subsequent payment agreement is approved, the defendant will be required to make a down payment of 10% if the fines/costs owed are \$500 or less or 5% or \$50 (whichever is greater) if the fines/costs owed are more than \$500.

When a defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, such defendant is 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/her sole financial resource is a Social Security benefit or Supplemental Security Income, his/her case will not be referred to collections. No payment towards fines/costs will be taken from a Social Security benefit or Supplemental Security Income when the court is informed that a defendant receives either.

The payment options are check, money order, credit card, or cash (if the defendant appears in person). The defendant can pay online, by mail, or in person. Payments can be made over the telephone. There is an additional 4% fee for using a credit card.

CHIEF GENERAL DISTRICT COURT JUDGE: \_\_\_\_\_

CLERK: \_\_\_\_\_

DATE: 1/10/2025