



COMMONWEALTH of VIRGINIA
26th District Juvenile and Domestic Relations Court

Judges:
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Anthony W. Bailey
Rachel Figura
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POLICY AND ORDER FOR COLLECTION OF UNPAID FINES AND OTHER ASSOCIATED COURT COSTS

Pursuant to § 19.2-33- through 368 and § 46.2-395 of the Code of Virginia, the following policy has been adopted effective July 1, 2024, for the Harrisonburg/Rockingham Juvenile and Domestic Relations District Court:

This policy is applied to any person owing court costs, fines, fees, penalties, interest, or other financial debt assessed by this court.

The Court will assess the specific financial conditions of each debtor before determining a reasonable frequency and amount of installment payments, and any required down payment; therefore, each debtor is required to appear in person to complete a Petition for Payment Agreement (DC-211) at the Clerk's Office. In certain circumstances, the Clerk may allow the debtor to submit the petition via mail.

A \$10.00 Time to Pay fee will be assessed upon entering into the agreement after 90 days have passed from the date of disposition.

The debtor may request a modification of any time to pay agreement, in writing, on a DC-211. The Court may grant such modifications based on good faith showing of need.

The Court pursues unpaid debts through Court Debt Collection; any tax overpayment owed to a debtor may be intercepted and paid to the Court. The debtor will be responsible for a collection fee on any delinquent accounts.

If the debtor's sole financial resource is a Social Security benefit or Supplemental Security Income, debtor shall be exempt from making payments until he/she has another source of income. Written notification must be provided to the court for exemption. The court will not refer debt to collections. Interest and 499 collection fees assessed prior to July 1, 2024, will not be forgiven.

Your driver's license will not be suspended upon default of this agreement and the Court will consider re-entry into payment plans upon default only upon the request of the debtor.

Payments received within ten (10) days of the due date shall be considered timely made.

If you have other financial obligations owed to other District Courts, you are required to enter into agreements, if necessary, with those Courts directly; this agreement applies only to court fines/costs

owed to the Harrisonburg/Rockingham J&DR District Courts. However, the Court will consider other Court debts when establishing a payment plan, in determining the specific financial conditions of each debtor.

The Court will accept the performance of community service work as an option to defray fines and costs but will not credit community service towards any amount owed as restitution, the interest which has accrued on restitution, and any collection fee required. Community service hours will be credited in the amount of the current Virginia minimum wage and should be documented on approved forms provided by the Court.

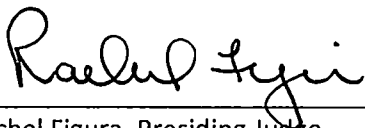
Defaulted payment plans:

- If a payment plan has defaulted on a deferred time to pay agreement, an additional extension of up to 90 days can be granted.
- If a deferred payment plan has defaulted more than once, an extension of the deferment will NOT be permitted, instead provide the customer with a monthly repayment option. Use the following time schedule based on case balances as a guide:
 - o Balances up to \$500, up to 12 months to repay;
 - o Balances over \$501, up to 24 months to repay;
- If the individual cannot afford to pay the minimum monthly amount these balances generate, have the customer complete a financial statement to determine how much they can afford to pay; confirm the "affordable" monthly repayment amount with a supervisor or the Clerk. At no time will a customer be turned away without an acceptable payment plan. Deposits are NOT required, however are accepted as a means to lower monthly repayment amounts.
- Monthly installment plans will be/can be reinstated after default as many times as necessary until the debt is paid in full.

Cases, in which a deferred disposition has been entered, must have all financial liability paid in full before the final hearing if dismissal of the charge is conditioned upon full payment of costs and fees. Payment arrangements are not necessary to be set up on these cases. The judge may authorize extensions to this date to prevent potential failure to comply violations.

Restitution:

- Restitution payments are due in full within 30 days unless otherwise identified by order of the judge or agreement with the Commonwealth Attorney. Requests for extensions on restitution payments must first be requested through the Commonwealth Attorney's Office, or Victim Witness Coordinator. Restitution due dates are set by agreement between the Judge and Commonwealth Attorney in court, any variations of this date, may interfere with the Commonwealth's or Victim Witness Advocates information provided to the victims.



Rachel Figura, Presiding Judge
Harrisonburg/Rockingham Juvenile &
Domestic Relations District Court