

VIRGINIA: IN THE JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT FOR THE
COUNTY OF HENRICO

ORDER

For Deferred Payment Agreements, Installment Payment Agreements & Modified Deferred Agreements

Pursuant to VA Code §19.2-354, §19.2-354.1 and §19.2-358 of the Code of Virginia and Supreme Court Rule 1:24, the Henrico Juvenile and Domestic Relations Court has authorized the Clerk to establish and approve conditions of all deferred payment agreements, pursuant to guidelines established by the Court.

Fines and Costs include all fines, costs, forfeitures, or restitution assessed by the Henrico JDR Court, due in full within 30 days of disposition. Deferred/Installment/Modified Payment agreements are necessary for making payment arrangements beyond 30 days and to avoid collection fees. Requests for modifications to an established deferred/installment agreement may be made at any time, in writing with the Henrico JDR Clerk's office.

Deferred Agreement- an agreement to which defendant agrees to pay the full amount of fines and costs at the end of the agreement's stated terms and no installment payment is required

- If defendant is unable to make payment within the statutory time (90 days of disposition), the defendant may enter into a Deferred Payment Agreement
- A DC-210 (Fines and Costs Payment Agreement) must be completed in person at the Henrico JDR Clerk's office. A DC-210 may be completed by mail and returned by mail to Henrico JDR Clerk's office, however the deferred/installment plan does not begin until received by the Court
- A \$10.00 Time to Pay fee may be assessed upon entering into the agreement
- A fee of 17% is assessed on all delinquent accounts, 91 days or older, if a time to pay plan has not been entered; and interest will begin to accrue after 181 days
- A 4% fee is charged at any time a credit or debit card is used to make a payment
- Any returned check or debit/credit chargeback from the bank will be cause for the Deferred agreement to default

Installment Agreement- an agreement to which defendant agrees to make monthly payments until the fines and costs are paid in full

- If defendant is unable to make payment within the statutory time (90 days of disposition), the defendant may enter into a Deferred Payment Agreement using an installment monthly payment plan
- A DC-210 (Fines and Costs Payment Agreement) must be completed in person at the Henrico JDR Clerk's office. A DC-210 may be completed by mail and returned by mail to Henrico JDR Clerk's office, however the deferred/installment plan does not begin until received by the Court
- The Clerk may approve the Installment Plan for any dollar amount and terms are set based on defendant's financial status. Any amount below \$50/month shall be approved by the Chief Judge
- The length of the installment agreement is based on defendant's financial status
- A \$10.00 Time to Pay fee may be assessed upon entering into the agreement unless it was collected on a previous agreement
- A fee of 17% is assessed on all delinquent accounts, 91 days or older, if a time to pay plan has not been entered; and interest will begin to accrue after 181 days

- A 4% fee is charged at any time a credit or debit card is used to make a payment
- Any returned check or debit/credit chargeback from the bank will be cause for the Deferred agreement to default
- Payments are due each month. If not paid within 10 days of the due date, the Installment Agreement will default

Modified Deferred Agreement- an agreement to which defendant agrees to use best efforts to make monthly or other periodic payments, but fines and costs are due in full at the end of the agreement's stated terms

Defaults- A defendant who has defaulted on a payment agreement may request the Court for a subsequent payment agreement. The Court may consider defendant's change in circumstances in deciding whether to approve or deny the request. If the fines and costs owed are \$500 or less, 10% of the amount will be required towards a deposit; or if the costs and fines owed exceed \$500, 5% of such amount will may be required toward a deposit.

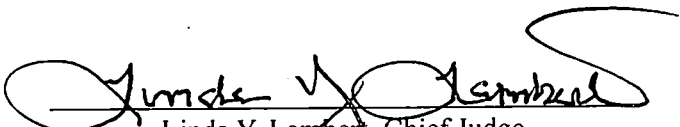
Community Service in Lieu of Costs

- A written request is required and preferred on miscellaneous motion to the Court
- The Court will accept the performance of community service work as an option to defray fines and/or costs but will not credit community service towards an amount owed as restitution, the interest which has accrued on restitution, or any collection fee required.
- Community service hours will be credited in the amount of Virginia minimum wage and the hours must be documented in writing from the not-for-profit organization/entity representative or supervisor

Exemptions

- Effective July 1, 2024, in any case in which a defendant owes fines and/or costs and where such defendant's sole financial resources is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments, at least until such time as the defendant has another source of income. Additionally, the amounts owed will not be sent to Collections.
- It is the responsibility of the defendant to notify the court of their income status to receive the exemption. DC-210 is still required and defendant must provide sworn testimony to the Clerk to verify the claim before an exemption will be granted.
- Restitution and Guardian ad Litem fees are not included in this exemption and are due as the Court ordered

7/1/24


Linda Y. Lambert, Chief Judge