

VIRGINIA: In Tazewell County Juvenile & Domestic Relations District Court

ORDER FOR PAYMENT AGREEMENT

Costs and fines are due within 90 days of sentencing and/or a deferred disposition which is set out for a future date. If you need more than 90 days a DC-210 ORDER FOR PAY AGREEMENT *shall be completed* to request an extension over 90 days. The Court *shall* charge an additional \$10.00 Time to Pay fee for management of the account(s).

If your court case is dispositioned to be dismissed upon payment of costs, then **YOU SHALL PAY THAT DAY NO EXCEPTIONS.**

In assessing the defendant's ability to pay, the Court SHALL USE A DC-333 Financial Statement-Eligibility Determination. The length of the payment agreement and the amount for payments shall be a reasonable amount depending on your financial resources. If you receive Social Security benefit or Supplemental Social Security income, that income is exempt from making payments for court costs and an appointed attorney fee. If you have a resource other than a Social Security benefit or a Supplemental Social Security income, you are still required to pay court costs or an appointed attorney fee. The court costs and an appointed attorney fee will still be owed but are not considered active for purposes of collection. Additionally, if at a later date you obtain or receive a financial resource other than a Social Security benefit or a Social Security Income, you are required to notify the court and shall become obligated to pay court costs or an appointed attorney fee.

ALL or a portion of current fines and costs or delinquent accounts may be satisfied by means of COMMUNITY SERVICE hours only after completion of the DC-210 and under the supervision of Clinch Valley Community Action or the designee of that agency. As the Defendant (you), SHALL be responsible for verifying that your completion and satisfaction is filed with the court before the date ordered by the Judge or due date on your pay agreement.

Extensions on time to pay and community service may be granted by the Clerk when the case has been dispositioned, otherwise the Judge will have to grant an extension on deferred dispositions or dates set by court order.

The Court may require a down payment for subsequent pay agreements, which the down payment shall not exceed 10% when the fines and costs owed are \$500.00 or less.

The defendant SHALL, pursuant to Section 19.2-354, promptly inform the Court of any change of mailing address during the term of the pay agreement.

If the Court does not receive payments as ordered, the case will be referred for collection enforcement action under 19.2-349; 19.2-353.5, 19.2-358, or 58.1-520 through 58.1-534 of the Code of Virginia. If the case is referred for collection enforcement action under 19.2-349. The amount owed that can be collected will be increased to reflect the additional costs associated with my collection action. If any part of the amounts remains unpaid pursuant to 19.2-358, the DEFENDANT (you) may be subject to a jail sentence of up to 60 days or an additional fine of up to \$500.00.

Pursuant to Virginia Code 19.2-353.5, if interest on outstanding fines and costs owed to this court accrued during a period of incarceration, the Defendant may request that the interest be waived once proof of incarceration is given to the Court.

If a DEFENDANT owes restitution, then any payments collected SHALL, first be used to satisfy such restitution ordered and any collection cost associated with restitution before it can be used to satisfy any fine, forfeiture, penalty, or cost assessed. The SS benefit or SSI exemption DOES NOT APPLY TO RESTITUTION.

ALL unpaid accounts except those that are exempt will be transferred to Tax Set-Off Collections after the 91st day following the last due date. If payment is made after the due date the court will notify Tax Set-Off that monies have been paid.

This order is effective July 1, 2024. It is posted in the Clerk's Office and provided to the Office of the Executive Secretary of the Supreme Court of Virginia for entry onto its website.

Entered this 17th day of September 2024.


Martha P. Ketron, Chief Judge