

**VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTIES OF NEW KENT, KING WILLIAM,
AND KING AND QUEEN**

**GUIDELINES FOR DETERMINING THE CONDITIONS OF DEFERRED OR INSTALLMENT
PAYMENT AGREEMENTS FOR FINES AND COSTS OWED BY A DEFENDANT**

1. Any defendant who is unable to pay fines and costs within 30 days may apply to the Court to establish a deferred or installment payment of said fines and costs.
2. All unpaid fines and costs, of whatever source or type, are eligible for deferred payments or installments.
3. Defendants shall have the options of paying said fines, restitution, forfeiture or penalty and any other costs through a deferred payment or installment plan.
4. The Court will assess each individual defendant's specific financial condition in establishing a deferred or installment payment plan, and order that the defendant pay \$25.00 per month, or a higher amount, depending upon a defendant's ability to pay or less than \$25.00 per month if the defendant is determined to be indigent.
5. Any defendant who has unpaid fines and costs in more than one Court will have to either pay his or her fines or costs in full or establish a payment plan with respect to each Court in order to remove the suspension of their driving privileges. The Court, in considering the defendant's request for installment payments, shall consider the defendant's other obligations to other Courts in determining the amount needed for down payment and installment payments.
6. Defendant, if unable financially to make payments, may petition the Court to participate in a community service program to receive credit against their deferred or installment payment plan. The defendant may check with each individual Clerk's office for available community service programs.
7. Down payments are not required to enter into a payment plan agreement when the agreement sets forth deferred payments.
8. Down payment may be required to enter into an installment plan but the down payment will not be set in an amount that may function to bar access to the installment plan process.
9. Any defendant who has defaulted on a payment plan has a statutory right to petition the Court to modify the existing plan or to create a new payment plan and the Court will give due consideration to such request.

10. A defendant whose fines and costs have been referred to the collection process under Virginia Code Section 19.2-349 shall be eligible to enter into an initial or subsequent payment plan with the Court.
11. In District Court only, when a defendant enters into a payment plan, the District Court may assess a one-time fee not to exceed \$10.00 to cover the costs of management of the defendant's account until such account is paid in full.
12. If your sole financial resource is a Social Security benefit or Supplemental Security Income, then you are not required to pay until you have another resource or income. As long as 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.

ENTER: 7 / 3 / 25



B. Elliott Bondurant, Judge