

**VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF YORK AND
CITY OF POQUOSON**

IN RE: DEFERRED OR INSTALLMENT PAYMENT AGREEMENT GUIDELINES

When an individual is convicted of a felony, misdemeanor and/or traffic infraction in the Circuit Court, court imposed fines and/or court costs will be assessed against the defendant in accordance with the Code of Virginia. Fines and costs are due at the time of sentencing unless the defendant enters into a deferred or installment payment agreement approved by the Court.

Therefore, it is hereby ORDERED that the Clerk of this Court is hereby authorized to implement the following guidelines for establishing Deferred or Installment Payment Agreements for the collection of restitution, fines and court costs in accordance with the guidelines established herein.

- Down payments are not required to enter into a payment plan agreement when the agreement sets forth deferred payments.
- Defendants, 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 shall promptly inform the court of any change of mailing address during the term of the agreement.
- Any request to amend or extend the payment agreement prior to default shall be accepted at the discretion of the Clerk, or in the alternative the Court.
- If incarcerated at the time of sentencing, the defendant upon his/her release, shall contact the Clerk's Office for information on establishing a payment plan.
- Unpaid balances are reported to the Department of Taxation for Set-off Debt Collection. This may lead to income garnishments and tax return garnishments.
- If a defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be 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. **(Not applicable to Restitution)**
- If a defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to § 19.2-349. **(Not applicable to Restitution)**
- No Social Security benefit or Supplemental Security Income shall be considered an available resource in determining the length of time to pay under a deferred, modified deferred, or installment payment agreement and the amount of payments, if any, pursuant to 19.2-349(D). **(Not applicable to Restitution)**

2/1/24
DATE

ENTER:

Richard H. Rizk
Richard H. Rizk, Judge