

City of Martinsville Juvenile and Domestic Relations District Court Payment Agreement Policy

The following Payment Agreement Policy is in accordance with Section 19.2-354 and 19.1-354.1 of the Code of Virginia and Rule 1:24 of the Rules of the Supreme Court of Virginia.

Initial Assessments:

Court fines and costs are due within 30 days of assessment/sentencing. Any defendant who is unable to pay the fines and costs within 30 days of assessment/sentencing may request to enter into a payment agreement with no down-payment being required. The defendant shall have the opportunity to enter either a deferred payment agreement¹, a modified deferred payment agreement², or an installment payment agreement³. A fee of \$10.00 will be assessed upon entering into the payment plan. If you pay your fines and costs in full within 90 days of assessment, the \$10.00 time to pay fee that was originally assessed will be removed from your account.

Effective July 1, 2024, if your sole financial resource is a Social Security benefit or Supplemental Security Income, and you have reported this to the court, 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 you may have been ordered to pay is not included in this exemption of payment and is due as the court has ordered.

Defaulted Accounts:

If you have unpaid fines and costs that have defaulted and want to enter into a payment agreement, you may fill out form *DC-211 Petition For Payment Agreement For Fines And Costs Or Request To Modify Existing Agreement*. The Court will require you to pay a down-payment as follows:

- If the fines and costs owed are \$500.00 or less, the required down payment may not exceed 10% of the amount owed.
- If the fines and costs owed are more than \$500.00, the required down payment may not exceed 5% of the amount owed or \$50.00, whichever is greatest.

You will be assessed a one-time \$10.00 time to pay fee if it had not been previously assessed on the outstanding account.

All fines and costs subject to the collection process may be incorporated into one payment agreement, unless otherwise ordered by the Court in specific cases.

The defendant shall immediately provide the Court with written notice of any change of address during the deferred period.

Community Service in Lieu of Fines and Costs:

If a defendant requests to perform community service in lieu of payment for fines/costs, the request must be made to the clerk's office and the community service must be performed at an approved non-profit organization. Such service shall be performed with a period of time approved and monitored by the Court upon completion of a DC-210 with the clerk's office. Community service will be credited upon completion at a rate of the Federal Hourly Minimum Wage per hour rate.

Any person owing restitution, interest on restitution, Guardian ad Litem or any collection fee is not eligible for community service.

¹ A "deferred payment agreement" is defined in Supreme Court of Virginia Rule 1:24 as "an agreement in which no installments are required and the defendant agrees to pay the full amount of the fines and costs at the end of the agreement's stated term".

² A "modified deferred payment agreement" is defined in Supreme Court of Virginia Rule 1:24 as "a deferred payment agreement in which the defendant also agrees to use best efforts to make monthly or other periodic payments".

³ An "installment payment agreement" is defined in Supreme Court of Virginia Rule 1:24 as "a plan in which the defendant agrees to make monthly or other periodic payments until the fines and costs are paid in full".