

**USING THIS REVISABLE PDF FORM**

1. Copies

Original - to court.

2. Prepared by defendant.

3. Attachments

Any information requested by the clerk to support the petition.

4. Preparation details

This form can be used to help the clerk make a decision about the appropriateness of accepting payment through a deferred or installment payment plan.

**DATA ELEMENTS, First page**

1. Court case number.
2. Name of court in which defendant was assessed fines and costs.
3. Defendant's full name.
4. Social security number, address and phone number of defendant.
5. Check the applicable box. If the first box is checked the defendant need go no further.
6. Employer and occupation of defendant.
7. Employer and occupation of defendant's spouse.
8. Number of dependents.
9. Insert the financial information requested about the defendant.
10. Insert the financial information requested about the defendant's spouse.
11. Total of net income of defendant and spouse.
12. Total assets of defendant and spouse.
13. Total debts of defendant and spouse.
14. Total disposable income of defendant and spouse. Add the amounts from Data Element Nos. 11 and 12 and then subtract data element 13.
15. Signature of defendant.
16. Date signed by defendant.

To be completed by the clerk or deputy clerk:

17. Signature of clerk or deputy clerk that witnessed signature.
18. Check appropriate box to indicate if the petition is accepted or rejected.
19. Check appropriate box to indicate if a deferred payment or installment plan was accepted and enter the applicable information regarding payment.
20. Date defendant must appear in court if he or she fails to pay the deferred payment.
21. Total amount due.
22. Date signed by clerk or deputy clerk.
23. Signature of clerk or deputy clerk.

**DATA ELEMENTS, Second page**

1. Insert amounts for exceptional expenses listed, if applicable.
2. Total amount of exceptional expenses.
3. Total available funds. Subtract the amount in Data Element No. 2 on second page from Data Element No. 14 on first page.
4. Signature of defendant.
5. Street address of defendant.
6. Social security number of defendant.
7. Telephone number of defendant.
8. Date signed by defendant.

To be completed by the clerk or deputy clerk:

9. Signature of clerk or deputy clerk that witnessed signature.
10. Indicate whether petition accepted.
11. Indicate frequency of payment.
12. Amount of payment.
13. Date signed by clerk or deputy clerk.
14. Signature of clerk or deputy clerk.

**PETITION FOR DEFERRED OR INSTALLMENT  
PAYMENT OF FINE AND COSTS**

CASE NO. 1

VIRGINIA: In the Circuit Court

**2**  COMMONWEALTH OF VIRGINIA  
 CITY/COUNTY OF \_\_\_\_\_  
VS.

3, Defendant

Social Security Number of Defendant: \_\_\_\_\_

Address of Defendant: 4

Telephone Number of Defendant: \_\_\_\_\_

I respectfully ask the Court to allow me to pay my fine and costs in deferred or installment payments. In support of my Petition, the following financial information is provided:

**5**  The information provided this Court on Defendant's Financial Statement, Form DC-333, is unchanged; OR  
 New information is provided this Court in this Petition:

	<u>Employer(s)</u>	<u>Occupation</u>
Defendant	<u>6</u>	_____
Spouse	<u>7</u>	_____
Number of Dependents	<u>8</u>	_____

	<u>Defendant</u>	<u>Spouse</u>
<b>Household Net Income:</b>		
Take-Home Pay (after taxes, etc.)	\$ _____	\$ _____
Other Income Sources (specify)	\$ _____	\$ _____
Income Contribution of Dependents	\$ _____	\$ _____
<b>TOTAL NET INCOME (A) =</b>	<b>\$ <u>11</u></b>	

	<u>Defendant</u>	<u>Spouse</u>
<b>Assets:</b>		
Bank Accounts/Cash on Hand	\$ _____	\$ _____
Other Assets (specify)	\$ _____	\$ _____
<b>TOTAL ASSETS (B) =</b>	<b>\$ <u>12</u></b>	

<b>Debts Owed:</b>		
Car, Housing, Credit Card, Loan, Etc.	\$ _____	\$ _____
<b>TOTAL DEBTS (C) =</b>	<b>\$ <u>13</u></b>	

<b>TOTAL DISPOSABLE INCOME (A+B-C)</b>	<b>\$ <u>14</u></b>
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THIS STATEMENT IS MADE UNDER OATH; ANY FALSE STATEMENT OF A MATERIAL FACT TO ANY QUESTIONS CONTAINED HEREIN SHALL CONSTITUTE PERJURY UNDER THE PROVISIONS OF VA. CODE SECTION 18.2-434. THE MAXIMUM PENALTY FOR PERJURY IS CONFINEMENT IN THE STATE PENITENTIARY FOR A PERIOD OF TEN YEARS.

I hereby state that the above information is correct to the best of my knowledge.

15 Defendant

Sworn and signed before me this \_\_\_\_\_ day of 16, \_\_\_\_\_

17, Clerk/Deputy Clerk

**FOR COURT USE ONLY**

A. Defendant's Petition: **18**  Accepted  Rejected

B. Payment Type Approved:  Deferred  Installment  OR

**19** Beginning \_\_\_\_\_

Final Payment \_\_\_\_\_

Payment WEEKLY/MONTHLY/OTHER \_\_\_\_\_

C. Date Due back in Court for Nonpayment: **20** \_\_\_\_\_

D. Total Amount Due: **21** \_\_\_\_\_

Date: **22** \_\_\_\_\_ **23**, Clerk/Deputy Clerk

**1. EXCEPTIONAL EXPENSES:**

Medical Expenses	\$ _____	
Court-ordered support payments	\$ _____	<b>1</b>
Child Care payments	\$ _____	
Approximate indebtedness to other persons	\$ _____	
<b>TOTAL EXCEPTIONAL EXPENSES {D} =</b>	<b>\$ _____</b>	<b>{D}</b>

<b>{A} + {B} - {C} - {D} = {E}</b>	
<b>AVAILABLE FUNDS OF DEFENDANT {E}</b>	<b>\$ _____</b>

I understand that the following provisions apply if the Court grants my Petition:

- (1) If I am placed on supervised probation or allowed to participate in a community service work program, an installment payment schedule will be monitored by my probation officer or case worker; payments will be made to the clerk of this court; and I will keep the officer informed of any change of my residence address.
- (2) If I am not placed on probation or enrolled in a community service work program, payments will be paid to the clerk of this Court.
- (3) Violation of the Court's Order for Deferred or Installment Payment may be punished by:
  - (a) revocation of any suspended sentence or probation; and/or
  - (b) an additional jail sentence of up to 60 days or fine of up to \$500; and/or
  - (c) suspension of my driver's license until all fines and costs are paid; and/or
  - (d) suspension of all motor vehicle registrations and license plates held in my name, if my driver's license is suspended or revoked; and/or
  - (e) any unpaid amounts owed collected as an unpaid judgment garnishment, levy, etc.

**THIS STATEMENT IS MADE UNDER OATH; ANY FALSE STATEMENT OF A MATERIAL FACT TO ANY QUESTIONS CONTAINED HEREIN SHALL CONSTITUTE PERJURY UNDER THE PROVISIONS OF SECTION 18.2-434 OF THE CODE OF VIRGINIA. THE MAXIMUM PENALTY FOR PERJURY IS CONFINEMENT IN THE PENITENTIARY FOR A PERIOD OF TEN YEARS.**

I hereby state that the above information is correct to the best of my knowledge. I acknowledge receipt of a copy of my Petition and agree to accept service of the Court's Order by first class mail to my address of record.

<b>4</b>	<b>5</b>
_____ SIGNATURE OF DEFENDANT	_____ STREET ADDRESS OF DEFENDANT
<b>6</b>	<b>7</b>
_____ SOCIAL SECURITY NUMBER OF DEFENDANT	_____ TELEPHONE NUMBER OF DEFENDANT
Sworn and signed before me this _____ day of _____, _____	
<b>8</b>	
_____ CLERK/DEPUTY CLERK	

**FOR COURT USE ONLY**

Deferred payment plan petition accepted?  Yes  No **10**

Frequency of payment: (circle one) weekly monthly  
Other (describe)..... **11**.....

Amount of payment: \$..... **12**.....

Date: ..... **13** ..... Signed: \_\_\_\_\_ **14** \_\_\_\_\_