

VIRGINIA: IN THE CIRCUIT COURT OF THE CITY OF STAUNTON
IN RE: CRIMINAL FINES, COSTS, AND RESTITUTION POLICY EFFECTIVE JULY 1, 2024
ORDER

Pursuant to Sections 19.2-339 through 19.2-368, Code of Virginia, and Rule 1:24, Supreme Court of Virginia, the following are guidelines for the payment of fines, costs, and restitution in this Court:

1. If unable to pay all fines, costs, and restitution in full upon sentencing, a defendant may pay in installments or in accordance with a deferred payment agreement in which the defendant agrees to pay the full amount of the fines, costs, and restitution at the end of the agreement's stated term, unless the Court orders a separate payment schedule for restitution and restitution interest.
2. When setting the terms of an installment payment agreement or a deferred payment agreement, the defendant's specific financial conditions and other court obligations will be considered.
3. An installment payment agreement will require monthly payments of at least \$25.00, the actual amount to be set by the Clerk.
4. A deferred payment agreement may be set up only once, unless good cause is shown and upon consideration and approval of the Clerk. The due on date for a deferred payment agreement shall be set by the Clerk and in no case will be set out more than a year from the defendant's date of sentencing.
5. A down payment will not be required for an initial installment payment agreement or deferred payment agreement. After default on an initial installment payment agreement or on a deferred payment agreement, a down payment may be required on any subsequent payment agreement in an amount equal to 10 percent of the amount owed if the fines and costs owed are less than \$500.00; or the greater of 5 percent or \$50.00 if the fines and costs owed are more than \$500.00.
6. A defendant may, upon approval of the Court, pay fines and costs, but not restitution, restitution interest, or the 17% collection fee, by participating in an approved community service program.
7. Any request for modification of an existing payment agreement must be in writing, on the statutory form. For good cause shown, the Court or Clerk may alter the terms of payment agreements.

In any case in which a defendant owes fines and costs and where such defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, no payment is required until the individual has another source of income. **This DOES NOT apply to restitution.**

ENTERED: _____

DATE: _____