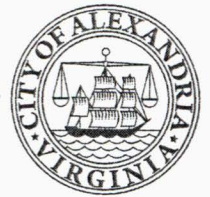




ALEXANDRIA JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

FIRST FLOOR
520 KING STREET
ALEXANDRIA, VIRGINIA 22314-3160
(703) 746-4141



CONSTANCE H. FROGALE
CHIEF JUDGE

ULEY NORRIS DAMIANI
JUDGE

DOMINIKA A. BUI
CLERK OF COURT

The City of Alexandria Juvenile and Domestic Relations District Court Deferred or Installment Payment Guidelines

Pursuant to §§ 19.2-339 through 368 and § 46.2-395 of the Code of Virginia (1950 as amended), the following Payment Plan Policy has been adopted effective February 1, 2017 for the Alexandria Juvenile and Domestic Relations District Court:

Whenever a defendant is sentenced to pay a fine, restitution, forfeiture or penalty and the defendant is unable to make payment of the fine, restitution, forfeiture, or penalty and court costs within 30 days of conviction, or other disposition authorized by law, the defendant shall have the opportunity to enter into either a deferred payment plan¹, a modified deferred payment plan², or an installment payment plan³ to pay those fines and costs (hereafter payment plan). The City of Alexandria Juvenile and Domestic Relations District Court authorizes its Clerk of Court (Clerk) to enter into a payment plan with the defendant.

This policy is developed to establish payment guidelines that facilitate payments by defendants of their financial obligation to avoid the suspension of their driver's license or other sanctions. This policy shall be applied to any person who owes any fines, court costs, penalties, restitution or other financial responsibility assessed against them by this Court.

In determining the amount and length of time to pay under a payment plan, this Court shall take into account the defendant's financial resources in light of the defendant's financial obligations, including the defendant's indigence, as well as the fines and costs the defendant owes in other courts. The length of a payment plan and the amount of payments shall not be based solely on the amount of the fines and costs.

All fines and costs subject to the collection process which a defendant owes for all cases in this Court may be incorporated into one payment plan, unless otherwise ordered by the Court in specific cases. A payment plan shall include only those outstanding fines and costs subject to collection under the period of time set forth in Virginia Code Section 19.2-341.

¹ A "deferred payment plan" is defined in Supreme Court of Virginia Rule 1:24 as "a plan in which the defendant agrees to pay the full amount of the fines and costs at the end of its stated term and no installment payments are required."

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

³ An "installment payment plan" 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."

A one-time \$10 fee will be assessed upon entering into the agreement, unless it was collected on a previous agreement.

At the time of the assessment, if a person is unable to pay the costs within thirty (30) days then they may request a payment plan to request additional time (90 days) in order to pay the Court the monies owed.

An additional payment plan may also be granted by the Clerk if any previous agreement will go into default or has already gone into default. The Clerk may also grant an additional payment plan for those seeking restoration of their driver's license due to non-payment of fines and costs. The Defendant shall make a good faith payment of at least 10% towards payment of all fines and costs due to the Court.

Every time a payment plan is requested, the Clerk shall issue a new agreement form (DC-210). This form shall be filled out and provided to the juvenile or adult defendant with a receipt showing payments made to take to DMV if necessary for restoration of the driver's license.


Defendants must inform the Court promptly of any change in address during the term of agreement.

If payments are missed while on the payment plan, the payment agreement will default and defendant must re-apply at the Clerk's office to avoid suspension of their driver's license or other sanctions.

Community service work is an option to defray fines and costs if available and approved by the Judge. Community service work will not be credited against any amount owed as restitution or the interest which has accrued on the restitution. An appropriate motion for a hearing seeking judicial approval of community service shall be filed with the Clerk of Court. If approved by the judge, community service in lieu of payment of costs and fines will be earned at the rate of the Federal Hourly Minimum Wage per hours of community service against the fines and/or costs. It is the responsibility of the defendant to provide valid proof of completion of community services hours to the Clerk's Office on company/entity letterhead and contact information for verification purposes.

IT IS SO ORDERED

2-1-17
Date



Constance H. Frogale
Chief Judge