

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTIES OF POWHATAN, AMELIA, DINWIDDIE, AND NOTTOWAY, AND THE CITY OF PETERSBURG

NOTICE OF PAYMENT OPTIONS FOR FINES AND COSTS

The Court hereby

ORDERS that, pursuant to Rule 1:24 of the Supreme Court of Virginia, the following rules shall apply to all payment agreements:

1. If you are unable to pay all fines and costs within 30 days of trial, you may apply to enter into one of the following payment agreements:
 - a. Installment Payment Agreement: Fixed monthly or other periodic payments made until the fines and costs are paid in full. If the total fines and costs are \$500.00 or less, a down payment of 10% of the total must be made at the time of entry into the plan. If the total is more than \$500.00, a down payment of 5% of the total or \$50.00, whichever is greater, must be made at the time of entry into the plan. You may choose to make a down payment that is larger than the minimum amount.
 - b. Deferred Payment Agreement: Payment of the full amount of the fines and costs at the end of the agreement's stated term, and no installment payments are required. A down payment must be made at the time of entry into the plan in the amount set forth in paragraph 1.a. above.
 - c. Modified Deferred Payment Agreement: A deferred payment agreement in which you agree to use your best efforts to make monthly or other periodic payments.

2. All fines and costs that you owe for all cases in a court may be incorporated into one payment agreement unless otherwise ordered by the court in specific cases. In determining the amount and length of time to pay under a payment agreement, the Court will consider your financial resources in light of your financial obligations, as well as the fines and costs that you may owe in other courts. You will be required to provide financial information so that the Clerk may make the determination as to the type of payment agreement to be utilized. The request for a payment plan must be made using the Executive Secretary of the Supreme Court's Form DC-211.

3. At any time during the duration of a payment agreement, you may, in writing, request a modification of the agreement using the Executive Secretary of the Supreme Court's Form DC-211, and the Court may grant such modification based on a good faith showing of need.

4. A payment agreement will be considered in default if a weekly, monthly, or other periodic payment is more than ten days past due. Thereupon, the payment agreement will be terminated. You may request re-entry into a payment agreement after a default, and in determining whether to approve such a request, the Court will consider any change in your circumstances.

5. The Court delegates to the Clerks in their respective county or city the authority to enter into first and second payment plans in accordance with this Order. If you default on the second payment arrangement, you must petition the Court using Form DC-211 for approval.

6. Restitution shall be paid in accordance with Virginia Code §19.2-305.1(E). If an order for restitution is not made on the day of sentencing, the Clerk shall set the case on the docket on the next

available date that is convenient for the Commonwealth's Attorney and defense counsel for entry of the required order. You will be required to appear at the hearing. This applies to restitution for sentencing hearings held on or after July 1, 2017. For cases prior to July 1, 2017, if terms of restitution were not stated in Court, the Clerk is directed to set up a payment agreement that is in compliance with paragraphs 1 - 5 above. After default of any payment plan that includes restitution, you must petition the Court using Form DC-211 for approval.

6. This Order shall be effective July 1, 2017.

ENTERED, this 19 day of July, 2017.

Paul W. Cella

Paul W. Cella, Chief Judge
11th JUDICIAL CIRCUIT