

# City of Fredericksburg

Founded 1671

Fredericksburg Circuit Court  
Office of the Clerk  
701 Princess Anne St. Suite 100  
Fredericksburg, VA 22401  
Phone: (540) 372-1066



Jeff Small  
Clerk of Court

Kristen Ingalls  
Chief Deputy Clerk

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## PAYMENT PLAN POLICY

Pursuant to **Virginia Code 19.2-354**, it is the responsibility of the Circuit Court to make arrangements for the collection of fines, costs and restitution. The Court has assigned these duties to the Clerk of the Circuit Court.

- Payment Plans and their terms are set by the Clerk. (THIS DOES NOT INCLUDE RESTITUTION.)
- Payment schedules are set by the Clerk or the Court.
- Fines, Costs, and Restitution is Ordered by the Judge. The Clerk may not change a Court Order.
- If you wish to change the terms of the payment plan set by the Clerk, you may Notice and Motion the Court and appear before the Judge to decide the matter.
- The Defendant is given notice of all fines, costs, restitution, and assessments at the conclusion of the criminal case. This notice may be amended as updates are received by the Clerk. The Clerk mails your notice to the address on file with the Clerk.
- The Defendant is required to complete the form "Fredericksburg Circuit Court Payment Plan," completely and accurately, following instructions provided on the website [www.fredclerk.com](http://www.fredclerk.com).
- The first payment of the Plan is due at the time the Payment Plan is implemented.
- The Defendant must comply with the terms stated on the payment plan and the consequences of default also stated on the Payment Plan.
- Community service at approved locations, in lieu of money payments, **may** be an option to discharge fines and costs (NOT RESTITUTION). The community service must be approved **in advance by the Court**. If approved by the Court, community service will defray fines and costs at a rate equivalent to Virginia's minimum wage at the time of submission. **THE CLERK CANNOT APPROVE COMMUNITY SERVICE.**
- If your sole financial resource is a Social Security benefit or Supplemental Security Income, then you are not required to pay until you have another resource of income. As long as your sole income remains unchanged, your account will not go to collections. **Please understand that any restitution that you may have been ordered to pay is not included in this exemption of payment and is due as the court has ordered.**

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF FREDERICKSBURG**

**ORDER**

Pursuant to Virginia Code §19.2-305.1, Virginia Code §19.2-354, Virginia Code §19.2-354.1, and Rule 1:24 of the Supreme Court of Virginia the policy of the Fredericksburg Circuit Court concerning the payment of fines, costs and restitution is as follows:

Restitution shall be paid in accordance with the Restitution Order entered by the Court.

Any party requesting a modification of the Restitution Order must do so by written motion to the Court.

Any court costs are due on date of judgment unless delay is granted pursuant to §8.01-446.

Any party unable to pay outstanding fines and costs may request a deferred payment agreement for payment in full at the end of the deferred stated time period in the deferred payment agreement; or

Any party unable to pay outstanding fines and costs may request an installment payment agreement to make monthly payments until paid in full;

Application for deferred payment or installment payments shall require application by written financial statement on a form provided by the Clerk of Court.

A party who has entered into a payment agreement may request a modification of the agreement in writing by motion to the Court.

A party who defaults on a payment plan, upon first violation, may apply to the Clerk of Court for a new payment plan. Upon a second or subsequent violation, a party may apply for a new payment plan by written motion to the Court.

A party who is unable to pay fines and costs may, by written motion to the Court to include a written financial statement of indigency under oath, request to perform community service for a nonprofit agency to defray fines and costs. The Court must approve the nonprofit agency prior to the community service being performed.

A party may, by written motion to the Court, request a credit for community service work performed before or after imprisonment or during imprisonment. Said motion shall be considered in accordance with the provisions of §19.2-354(C).

If approved by the Court, community service will defray fines and costs at a rate equivalent to Virginia's minimum wage at the time of submission. No community service may be used to defray restitution owed.

This policy is to be posted in the Clerk's Office of the Circuit Court and on the Court website as required by Virginia Code §19.2-354(A).

ENTERED this 17 day of April 2024.

A handwritten signature in black ink, appearing to read "G. F. Willis", written over a horizontal line.

Gordon F. Willis, Judge