

# COMMONWEALTH OF VIRGINIA



HAMPTON GENERAL DISTRICT COURT  
EIGHTH JUDICIAL DISTRICT  
236 N KING STREET, 2<sup>ND</sup> FLOOR  
HAMPTON, VIRGINIA 23669-3518

JUDGES:  
CORY N. SMITH  
SELENA STELLUTE GLENN  
STEVEN D. BOND

CLERK:  
JAMES M. SMITH

(757) 727-6260

## **REQUIREMENTS FOR THE COLLECTION OF COURT ORDERED FINES, COSTS, FORFEITURES, PENALTIES OR RESTITUTION IN INSTALLMENTS OR UPON OTHER TERMS AND CONDITIONS.**

### **FINES AND COSTS DUE WHEN IMPOSED UNLESS OTHERWISE AUTHORIZED BY COURT**

If a defendant, convicted of a traffic infraction or a violation of any criminal law of the Commonwealth 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 costs within 90 days of sentencing the defendant may enter into a payment agreement with the court to pay such fine, restitution, forfeiture or penalty in deferred payments or installments. If the defendant is unable to make payment within 90 days of sentencing, the court will assess a one-time fee of \$10 to manage the defendant's account.

### **MAILING ADDRESS REQUIREMENT**

As a condition of every agreement, a defendant who enters into an installment or deferred payment agreement shall promptly inform the court of any change of mailing address during the term of the agreement.

### **FORMS OF PAYMENT**

Visa, Discover, and MasterCard charges are accepted via telephone for payments in full. A convenience fee of (4%) will apply for all credit card transactions. Full and partial payments may be made by credit card, money order or check in the clerk's office, online at [www.vacourts.gov](http://www.vacourts.gov), and by mail. The clerk's office address is 236 N. King Street 2<sup>nd</sup> Floor, Hampton, Virginia 23669-3518. Please list your case number(s) with all mailed payments. Checks and money orders must be made payable to Hampton General District Court. Personal checks will not be accepted on accounts that are in collections.

### **FAILURE TO ENTER INTO A DEFERRED PAYMENT OR INSTALLMENT AGREEMENT**

The failure of the defendant to enter into a deferred payment or installment payment agreement with the court or the failure of the defendant to make payments as ordered by the agreement shall allow the Tax Commissioner to act in accordance with §19.2-349 to collect all fines, costs, forfeitures, and penalties.

## **DEFERRED, MODIFIED DEFERRED OR INSTALLMENT PAYMENT AGREEMENTS**

If a defendant is unable to pay fines and costs within 90 days of conviction, the defendant may enter into a deferred payment agreement in which the defendant agrees to pay the full amount of the fines and cost at the end of its stated term and no installment payments are required or enter into a community service payment agreement.

### **MONTHLY AND/OR PERIODIC PAYMENTS**

1. If the total amount owed is \$500.00 or less, defendant must pay in full in 6 months.
2. If the total amount owed is \$501.00 - \$1000.00+, defendant must pay in full in 12 months.
3. Additional time may be requested if, at the end of the payment agreement term, monies are still owed to the court. A positive payment history will be required and/or a down payment.

### **DEFAULT ON PAYMENT AGREEMENT**

If a defendant fails to pay as ordered:

1. The defendant may be fined or imprisoned pursuant to § 19.2-358
2. If the defendant has signed more than one agreement, all accounts will default, and the total amount owed to this court will be due in full.
3. The case(s) will be referred to a collection agent for collection. Cases referred to the collection agent are subject to a lien against the defendant's wages or property.
4. The case(s) will be referred to the Department of Taxation to be held against any refund the defendant may be entitled to from the Commonwealth of Virginia, if not already referred prior to the payment agreement.

### **ENTRY INTO A SUBSEQUENT PAYMENT AGREEMENT AFTER DEFAULT ON PAYMENT AGREEMENT (DOWN PAYMENT REQUIRED)**

A defendant who has defaulted on a payment agreement may request to enter into a subsequent payment agreement. A down payment is required using the guidelines below.

### **DOWN PAYMENT**

If the fines and costs are \$1,000 or less, the down payment is 10%. If the fines and costs are more than \$1,000.00, the down payment is 5% of the amount owed or \$100.00 whichever is greater.

*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 or 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. You must inform the court to apply this exemption.*

  
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Corry N. Smith, Chief Judge