

Prince William County
Juvenile and Domestic Relations
District Court

Payment Agreements Policy Statement

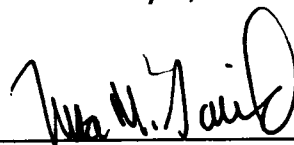
Pursuant to the provisions of Section 19.2-354 of the 1950 Code of Virginia, this Court *AUTHORIZES* the Clerk to establish and approve individual payment agreements in accordance with established guidelines approved by the Court. Contact the Clerk's Office at telephone number (703) 792-6160 for additional information.

Pursuant to the provisions of Section 19.2-354.1 of the 1950 Code of Virginia, when a defendant is ordered to pay fines and costs and is **unable to pay within 30 days** from the date of conviction, or other disposition date, there will be an opportunity to enter into one of three (3) types of payment plans:

- (1) **Deferred Payment Plan** - A defendant agrees to pay the full amount amount of fines and costs at the end of its stated term, and no installment payments are required.
- (2) **Modified Deferred Plan** - A defendant agrees to use best efforts to make monthly or periodic payments.
- (3) **Installment Plan** - A defendant agrees to make monthly or other periodic payments until fines and costs are fully paid.

In addition to the payment plans referenced above there may be an option to participate in the Community Service Program to discharge fines and costs.

Effective July 1, 2017



Lisa M. Baird
Chief Judge

**PRINCE WILLIAM COUNTY
JUVENILE AND DOMESTIC RELATIONS
DISTRICT COURT**

SUBJECT:

Payment Agreements for Fines and Costs, Restitution; Request to Modify Existing Payment Agreement; and Community Service

GOAL:

To comply with Virginia Code §§ 19.2-354 and 19.2-354.1

GUIDELINES:

(A) Time to Pay Payment Agreements Authorized by Clerk:

- The Clerk is authorized to establish and approve deferred payment agreements for up to **90 days**.
- To initiate a payment agreement for up to **90 days**, Part I of an Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) will be completed. If the defendant owes fines and costs on multiple cases, the total amount owed can be incorporated into one payment agreement. List **each** case number separately on the form.
- The Deputy Clerk will review Part I of the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) for accuracy and witness the defendant's signature.
- The Deputy Clerk will complete Part II of the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) and establish and approve the payment agreement.
- Provide the defendant with a copy of the completed DC-210 form.
- **Do not** assess a time to pay fee.
- Update the Financial Accounting System (FAS) with the new due date.

(B) Time to Pay Payment Agreements:

- Time to Pay Payment Agreements **more** than **90 days**, or to modify an existing payment agreement will be established and authorized by a judge.
- To initiate a payment agreement for **more** than **90 days** Part I of an Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) will be completed. If the defendant owes fines and costs on multiple cases, the total amount can be incorporated into one payment agreement. List **each** case number separately on the form.
- The defendant **must** also **complete** a Petition for Payment Agreement for Fines and Costs/Financial Statement (form DC-211) for the judge to assess the defendant's ability to pay.
- The Deputy Clerk will review Part I of the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210), and the Petition for Payment Agreement for Fines and Costs (form DC-211) for accuracy and witness the defendant's signature on **each** form.
- It is recommended the defendant present a summary prepared by DMV of other courts in which the defendant owes fines and costs.
- The request for Time to Pay Payment Agreement will be handled **administratively** by any judge that is available to consider the request.
- Once the judge has addressed the request and authorized the payment agreement, the Deputy Clerk will provide the defendant with a copy of the completed DC-210 form.

Request to Modify an Existing Payment Agreement:

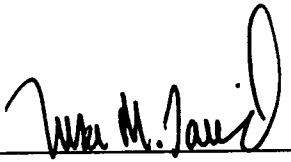
- Same requirements as noted above apply. **NOTE** – If a payment agreement was entered into in court at the time of trial or disposition, the request will be considered a subsequent modification of the existing payment agreement.
- The judge will complete the Order portion of the Petition for Payment Agreement for Fines and Costs or Request to Modify Existing Agreement form (DC-211) **and** the Order for Payment Agreement on the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210).
- A down payment of 10% is required when fines and costs owed are \$500 or less.

- A down payment of 5% or \$50 whichever is greater when the fines and costs owed are more than \$500 is required.
- Once the judge has addressed the request and authorized the payment agreement, the Deputy Clerk will provide the defendant with a copy of the completed DC-210 form.
- **Assess** the \$10 time to pay fee (137) **ONLY** on or after day **91**.
- The Deputy Clerk will collect the required down payment from the defendant and update the Financial Accounting System (FAS) with the new due date.

(C) Request to Participate in Community Service Program:

- Complete Part I of the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) **and** the Petition for Payment Agreement of Fines and Costs or Request to Modify Existing Agreement (form DC-211).
- The Deputy Clerk will review Part I of the Acknowledgement of Suspension or Revocation of Driver's License (form DC-210) and the Petition for Payment Agreement of Fines and Costs or Request to Modify Existing Agreement for accuracy and witness the defendant's signature on both forms
- The DC-210 and DC-211 will serve as the motion and a court date will be set to appear in court. Generate a Notice of Hearing to give to the defendant and have the defendant sign the court copy acknowledging it. **NOTE:** Schedule the motion timely on the court docket.

Approved: _____



Lisa M. Baird
Chief Judge

Dated: _____

