

# ROCKINGHAM COUNTY CIRCUIT COURT

## **Deferred/Installment Payment Policy**

### **(“Time-to-Pay Policy”)**

It being prescribed by Virginia Code §19.2-354(A) that it is the responsibility of the Circuit Court to make arrangements for collection of fines, costs and restitution, the Court has assigned the duties to the Clerk of the Circuit Court. The following is offered as a Guide for the purposes of setting up a payment agreement for this Court:

- Payment agreements and their terms are to be determined by the Circuit Court Clerk’s Office.
- Payment schedules may be set by the Court, Probation Officer or by the Clerk’s Office.
- Terms of payment agreements may be appealed to the sitting Circuit Court Judge.
- Defendant is given written notice of all fines/costs/restitution/assessments at the conclusion of case.
- Defendant is required to complete a “Petition for Deferred or Installment Payment of Fines/Costs.”
- First payment is due at the time a payment agreement is implemented.
- If default of payment agreement occurs, the defendant must petition the Circuit Court for a subsequent payment agreement.
- Defendant is required to make a down payment as set forth in Virginia Code §19.2-354.1(E): In the case of an installment payment agreement, the required down payment may not exceed (i) if the fines and costs owed are \$500 or less, 10 percent of such amount or (ii) if the fines and costs owed are more than \$500, five percent of such amount or \$50, whichever is greater. A defendant may make a larger down payment than what is provided by this subsection.
- These terms are general guidelines that may be amended at the discretion of the Clerk and will be considered on a case by case basis.

The above are the terms of collection unless otherwise modified.