

VIRGINIA: IN THE CIRCUIT COURT OF THE COUNTY OF BUCKINGHAM

IN RE: DEFERRED PAYMENT PLAN GUIDELINES AND PROCEDURES FOR COURT COSTS, FINES AND RESTITUTION

**ORDER**

When an individual is convicted of a felony or misdemeanor in the Buckingham County Circuit Court, court imposed fines and/or court costs will be assessed against the Defendant in accordance with the Code of Virginia. All fines and costs are due thirty (30) days from the date of sentencing unless otherwise ordered. The defendant will be required to make monthly payments in the amount established by the Court's Order until the case is paid in full unless otherwise ordered. Payment plans will be established within the guidelines below. If the Defendant cannot meet their obligation by this deadline, then a payment plan will be established by the Clerk or their appointee, based upon the financial conditions of the Defendant. If restitution is included in assessed costs, restitution will be incorporated in these stated guidelines. All payments received will be applied to restitution first, and then remaining payments received will be applied to the court costs and fines pursuant to Virginia Code Section §19.2-354, as amended.

In accordance with Code Section 19.2-349, failure to pay fines/restitution or entering into and staying current on a payment agreement within 30 days of the date of judgment will incur a 17% penalty "to help offset the costs associated with employing such individuals or contracting with such agencies or individuals" assisting in collection. The Clerk cannot remove, reduce, or alter this fee. Any other terms set forth in these guidelines are subject to the Clerk's or Judge's discretion.

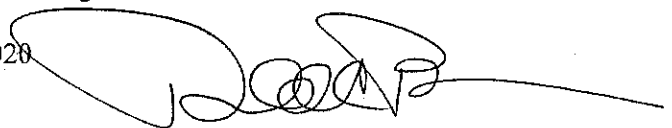
Pursuant to Virginia Code Section §19.2-354.1, as amended, the Court shall offer any defendant who is unable to pay in full the fines and costs within 30 days of sentencing the opportunity to enter into a deferred payment agreement, modified deferred payment agreement, or installment payment agreement. The first payment plan is done in Court upon sentencing. In the case of an installment payment agreement, the required down payment may not exceed, (i) if the fines and costs owed are \$500.00 or less, 10% of such amount or (ii) if the fines and costs owed are more than \$500.00, 5% of such amount or \$50.00, whichever is greater. Pursuant to Virginia Code Section §19.2-354.1(I), as amended, if the defendant defaults and wishes to enter into a second payment plan, the defendant will be required to make a down payment of 10% of the amount due if the amount is \$500.00 or less. If the amount owed is more than \$500.00, the down payment will be 5% of the amount due or at least \$50.00, whichever is greater. The required payments are at the discretion of the Clerk based upon the financial conditions of the Defendant and their previous payment history. A defendant may make a larger down payment than what is provided by law.

Payments will be accepted by cash, check, or money order for court costs and fines. All checks returned by the bank for insufficient funds may be assessed a returned check fee of \$50.00 or 10%, whichever is greater, based on the payment amount. The amount of the returned check, plus the returned check fee, will be assessed to the Defendant's account.

The Defendant's failure to comply with the deferred payment plan will result in any unpaid fines/restitution being reported to collections and interest may begin accruing on the unpaid balance. The Defendant must promptly inform the court of any change of mailing address during the term of the payment agreement. Unsatisfied costs, fines, and/or restitution will be administered pursuant to Code Section §19.2-349. The Clerk shall be able to administratively amend any payment plan in the event additional costs should be assessed and/or the financial conditions of the Defendant changes.

ENTERED this 28th day of February, 2020

Criminal Order Book  
Instrument #CRB202004



JUDGE