

**VIRGINIA: IN THE GENERAL DISTRICT COURT FOR THE
COUNTY OF STAFFORD**

**STANDING ORDER REGARDING PAYMENT AGREEMENTS FOR
FINES AND COSTS IN TRAFFIC AND CRIMINAL CASES**

It appearing to the Court that there is a need for uniform practices regarding payment agreements in traffic and criminal cases, it is therefore,

ORDERED, pursuant to Rule 1:24 of the Supreme Court of Virginia that the following rules shall apply to all payment agreements:

1. All fines, court costs, forfeitures, penalties and/or restitution (herein collectively referred to as "fines and costs") are due and payable in full on the day of court. A defendant who is unable to pay all fines and costs on the day of court shall sign a Form DC-210 (Petition for Payment Agreement for Fines and Costs or Request to Modify Existing Agreement) in which the defendant acknowledges that the defendant's case will be referred for collection enforcement, a collection fee will be assessed, and interest will accrue from the date of conviction if the full amount is not paid within 90 days of sentencing.
2. If a defendant is unable to pay in full all fines and costs within 90 days of trial, the defendant may apply at the Clerk's Office to enter into one of the following payment agreements:
 - a. Installment Payment Agreement: Fixed monthly or other periodic payments shall be made until the fines and costs are paid in full. If the total fines and costs are less than \$500, a down payment of 10% of the total shall be made at the time of entry into the agreement. If the total is more than \$500, a down payment of 5% of the total or \$50, whichever is greater, shall be made at the time of entry into the agreement.
 - b. Deferred Payment Agreement: Payment of the full amount of the fines and costs at the end of the agreement's term and no installment payments are required. A down payment must be made at the time of entry into the agreement in the amount set forth in Paragraph 2.a. above.
 - c. Modified Deferred Payment Agreement: Payment of monthly or other periodic payments in an amount determined by the defendant be made until the fines and costs are paid in full provided that the fines and costs must be paid in full no later than the end of the agreement's term. A down payment must be made at the time of entry into the agreement in the amount set forth in Paragraph 2.a. above. If a defendant is incarcerated, the agreement may provide for an initial period during which no payments are required during the period of incarceration.
3. All fines and costs which a defendant owes for all cases in a single court may be incorporated into one payment agreement unless otherwise ordered by the court in specific cases. An additional time to pay fee of \$10 will be assessed and included in the total amount due. In

determining the amount and length of time to pay under a payment agreement, the Court shall consider the defendant's financial resources and obligations including any fines and costs a defendant owes in any other courts. The defendant shall be required to provide information as to financial resources and obligations so that the Court may make a determination as to the defendant's ability to pay. The Court may require the defendant to provide a DMV compliance summary of other courts in which the defendant owes fines and costs.

4. In any case in which a defendant owes fines and costs and where such defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments at least until such time that such defendant has a resource other than a Social Security benefit or Supplemental Security Income. If such defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to §19.2-349. No payment shall be taken from such exempt resource.
 - a. DC-211 must be completed in its entirety.
 - b. DC-210 must be completed in its entirety.
5. When available, a defendant may request that the Court authorize community service in lieu of payments of fines and/or costs. Community service is not authorized for payment of restitution. Each hour of community service shall be deemed payment in the amount of one hour's current minimum wage. The Court shall set the minimum hours of community service which must be performed each month. Community service must be supervised by a local non-profit organization and written verification of hours worked must be provided by the supervising authority to the Court.
6. At any time during the duration of the agreement, a defendant may request a modification of the agreement, which request shall be granted based on a good faith showing of need.
7. The payment agreement will be considered in default if a weekly, monthly or other periodic payment is more than 10 days past due. Thereupon, the payment agreement will be terminated, all deferred interest will be added back to the account(s), and defendants will be subject to wage garnishment or other collection action to recover the outstanding balance of fines and costs. Subsequent to a default, the Court may allow a defendant to enter into another payment agreement provided that a down payment which shall not exceed (i) if the fines and costs owed are \$500 or less, ten 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.
8. The Court delegates to the Clerks in Stafford General District Court the authority to enter into individual payment agreements in accordance with this Order. Further, the Clerk and Deputy Clerks in their discretion may waive all or part of the down payment requirement set forth in Paragraph 2 based on their review of the defendant's financial resources and obligations.

9. 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.

ENTERED, this 5th day of August, 2024:



JUDGE, 15th JUDICIAL DISTRICT

Commonwealth of Virginia

VINCENT DONOGHUE,
PRESIDING JUDGE



BONNIE L. CAMP
CLERK OF COURT

15th JUDICIAL DISTRICT OF VIRGINIA
STAFFORD GENERAL DISTRICT COURT
1300 COURTHOUSE ROAD
P.O. BOX 940
STAFFORD, VA 22555
540-658-8935

PAYMENT PLAN AGREEMENTS

The clerk's office will conduct an oral examination to determine financial resources and obligations to assist with establishing a payment agreement. The standard Time to Pay option (TTP) is a deferred payment with guidelines that are outlined below. If payment is not made within 90 days of sentencing, then an additional \$10.00 fee will be assessed to the overall total due. Payment of the full amount of fines and costs are due at the end of the plan.

Deferred Payment: (No monthly payment required, must be paid in full by new due date)

If the total due is **\$500 or less**, the time to pay period is for **3 months / 90 days**.

If the total due is **\$501 to \$1,000**, the time to pay period is for **6 months / 180 days**.

If the total due is **\$1,001 or more**, the time to pay period is for **12 months / 1 year**.

If you find that you are unable to fulfill this obligation within the time permitted, you may ask for an extension which requires a payment of 10% if total owed is less than \$500. For totals over \$500 a payment of \$50 or 5% of balance (whichever is greater) will be required. Any additional extensions will be at the court's discretion and will require another payment of 10% of the outstanding balance.

Installment Plans:

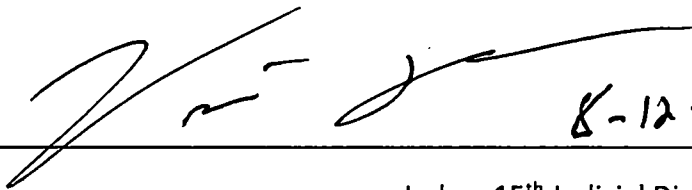
To be reviewed by the Clerk of Court.

COMMUNITY SERVICE AGREEMENT:

A motion must be filed with the Court for judge approval. When available, a defendant may request that the Court authorize community service in lieu of payment of fines and/or costs. Community service is **not** authorized for payment of restitution. Each hour of community service shall be deemed payment in the amount of one hour's current minimum wage. The Clerk shall set the minimum hours of community service which must be performed each month. Community service must be supervised by a local non-profit organization and written verification of hours worked must be provided by the supervising authority to the Court.

Social Security Benefits or Supplemental Security Income:

In any case in which a defendant owes fines and costs and where such defendant's sole financial resource is a Social Security benefit or Supplemental Security Income, then such defendant shall be exempt from making payments at least until such time that such defendant has a resource other than a Social Security benefit or Supplemental Security Income. If such defendant informs the court that his sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections pursuant to §19.2-349. No payment shall be taken from such exempt resource.



8-12-24

Judge, 15th Judicial District