

# **HARRISONBURG/ROCKINGHAM GENERAL DISTRICT COURT PAYMENT**

## **AGREEMENT FOR THE COLLECTION OF FINE AND COSTS**

**EFFECTIVE JULY 1, 2024**

**This policy for Payment Agreements for the collection of fine and costs in the Harrisonburg-Rockingham General District Court of the 26<sup>th</sup> Judicial District shall become effective July 1, 2024 and shall replace any and all previous payment agreements.**

Payment is due upon conviction. Any defendant that is unable to make full payment within ninety (90) days of sentencing may apply for a payment agreement. A one-time fee of \$10.00 to cover the costs of management of the defendants account until such account is paid in full will be assessed on each payment agreement over ninety (90) days. If amount owed is not paid in full by the given due date, and the defendant has not entered into a new payment agreement before default, the account will then be considered delinquent and a 17% collection fee will be assessed. No interest shall accrue for 180 days from the date of conviction, during any period of incarceration, or for 180 days from the release of an active incarceration.

No down payment is required to enter into the initial payment agreement.

When entering into a payment agreement after initial default, a down payment will be required as detailed below:

Amount owed is \$500.00 or less— down payment of 10% of the total amount owed.

Amount owed is \$501.00 or more—down payment of 5% of the amount owed or \$50.00, whichever is greater.

A defendant who has subsequently defaulted on an already established payment agreement has the opportunity to request a new payment agreement. A down payment on the amount due will be required as outlined above.

If granted by the Judge, community service work may be used as an option to defray fines and costs when the defendant is unable to make meaningful payments. Community service shall not be credited against any amount owed as restitution, the interest which has accrued on restitution, and any collection fee required. Each hour of community service performed will be credited at the current Virginia minimum wage rate.

It is the defendant's responsibility to make sure a new payment agreement is perfected before the current one defaults. The defendant must promptly notify the court of any change of address during the duration of the payment agreement.

In any case in which a defendant owes fines and costs and their sole financial resource is a Social Security benefit or Supplemental Security Income, then the defendant shall be exempt from making payments at least until such time that defendant has a resource other than a Social Security benefit or Supplemental Security Income. As long as the defendant's sole income remains unchanged, the account will not go to collections. Any restitution amount that may have been ordered to be paid is NOT included in the exemption of payment and is due as the court has ordered.