

# Commonwealth of Virginia



JUDGES  
CONSTANCE H. FROGALE, CHIEF JUDGE  
THOMAS K. CULLEN

CLERK OF COURT  
KATHRYN D. TURNER  
703-746-4141

## Alexandria Juvenile and Domestic Relations District Court

*EIGHTEENTH JUDICIAL DISTRICT*

*Franklin P. Backus Courthouse*

*520 King Street, 1<sup>st</sup> Floor*

*Alexandria, Virginia 22314*

## Alexandria Juvenile and Domestic Relations District Court Fines, Other Penalties and Costs Policy Effective July 1, 2024

1. All fines Imposed and costs taxed in a criminal or traffic prosecution are due and payable at the time of the final hearing or when judgement is otherwise imposed by the Court. Va Code Ann. Sec. 19.2-340.
2. All other penalties other than fines and costs taxed in any proceedings are due and payable at the time of the final hearing or when judgment is otherwise imposed by the Court. Va Code Ann. Sec. 19.2-341.
3. Personal checks and credit or debit cards shall be accepted in lieu of money to collect and secure all fees, fines, restitution, forfeiture, penalties and costs collected for offenses, including motor vehicle violations. Va Code Ann. Sec. 19.2-353.3
4. A reasonable convenience fee of four percent (4%) for the use of credit or debit card will be added to all payments of fees, fines, restitution, forfeiture, penalties or costs to be paid by credit or debit card. Va Code Ann. Sec. 19.2-353.3.
5. If a check is returned unpaid by the financial institution on which it is drawn or notice is received from the credit or debit card issuer that payment will not be made, for any reason, the fees, fine, restitution, forfeiture, penalty or costs shall be treated as unpaid, and the Court may pursue all available remedies to obtain payment. If a person tenders a check or credit or debit card which is dishonored, a fee of \$50 or 10 percent (10%) of the value of the payment, whichever is greater, may be imposed in addition to the fine and costs already imposed. Va Code Ann. Sec. 19.2-353.3.
6. Acceptance of checks or credit or debit cards of an individual may be refused by the clerk if (i) defendant has been convicted of a violation of Chapter 6 (Sec. 18.2-168 *et seq.*) of Title 18.2 in which a check, credit or debit card, or credit or debit card information was used to commit the offense, (ii) he has previously tendered to the Court a check which was not ultimately honored or credit or debit card or credit or debit card information which did not ultimately result in payment by the credit or debit card user, (iii) authorization of payment is not given by the bank or credit card issuer, (iv) the validity of the check or credit or debit card cannot be verified, or (v) the payee of the check is other than the Court. Va Code Ann. Sec. 19.2-353.3.

7. No interest shall accrue on any fine or costs imposed in a criminal case or in a case involving a traffic infraction (i) for a period of one hundred eighty (180) days following the date of the final judgement imposing such fine or costs (ii) during any period the defendant is incarcerated and (iii) for a period of one hundred eighty (180) days following the date of the defendant's release from incarceration if the sentence involved an active term of incarceration. Va Code Ann. Sec. 19.2-353(B).
8. A person who owes fines and costs on which interest has accrued during a period of incarceration may move in court in which he owes fines and costs to waive the interest that accrued on such fines and costs during such period of incarceration. Upon certification of the period of incarceration by the superintendent, warden, or other official in charge of a correctional facility on a form developed by the Office of the Executive Secretary of the Supreme Court, such interest shall be waived. Va Code Ann. Sec. 19.2-353.5 (C).
9. Interest shall not accrue during any period in which a fine, costs, or both a fine and costs are being paid in deferred or installment payments pursuant to an order of the court. Whenever interest on any unpaid fine or costs accrues, it shall accrue at the judgement rate of interest set forth in Va Code Ann. Sec. 6.2-302 (Va Code Ann. Sec. 19.2-353.(D)).
10. Any defendant, convicted of a traffic infraction or violation of any criminal law of the Commonwealth or of any political subdivision thereof, or found not innocent, in the case of a juvenile, who is sentenced to pay a fine, restitution, forfeiture, or penalty may such a fine, restitution, forfeiture, or penalty and any costs the defendant may be required to pay in deferred payments or installments. Va Code Ann. Sec. 19.2-354(A).
11. The court assessing the fine, restitution, forfeiture or penalty and costs shall authorize the clerk to establish and approve individual differed or installment payment agreements. Va Code Ann. Sec. 19.2-354 (A).
12. If the defendant owes court-ordered restitution and enters into a deferred or instalment payment agreement, any monies collected pursuant to such agreement shall be used first to satisfy the restitution order and any collection costs associated with restitution prior to being used to satisfy any other fine, forfeiture, penalty or cost owed. Va Code Ann. Sec. 19.2-354 (A).
13. As a condition of every such agreement, a defendant who enters into an installment agreement or deferred payment agreement shall promptly inform the court of any change of mailing address during the term of the agreement. Va Code Ann. Sec. 19.2-354 (A).
14. If the defendant is unable to make payment within ninety (90) days of sentencing, the court may assess a one-time fee not to exceed \$10 to cover the costs of management of the defendant's account until such account is paid in full. Va Code Ann. Sec. 19.2-354 (A). The one-time fee shall not apply to cases in which costs are assessed pursuant to Va Code Ann. Sections 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8 or 17.1-275.9. The court, if such sum or sums are not paid in full by the date ordered, may find or imprison and shall be proceeded against in accordance with Va Code Ann. Sec. 19.2-358.

15. Any person upon whom a fine and costs have been imposed may discharge all or part of the fine or costs by earning credits for the performance of community service work. Community service hours may be completed in lieu of paying fines or costs, with the exception of restitution and the collection fee through the Sheriff's Work Force or Offender Aid and Restoration (OAR). The program shall specify the rate at which credits are earned against the fines and costs. The Court shall provide such person with written notice of terms and conditions of the program. Va Code Ann. Sec. 19.2-354 (C).
16. When the Court has authorized deferred payment or installment payments, the clerk shall give notice to the defendant that upon his failure to pay as ordered he may be fined or imprisoned pursuant to Section 19.2-358. Va Code Ann. Sec. 19.1-354.1(D).
17. No court shall require a defendant to make a down payment upon entering a deferred, modified deferred, or installment payment agreement, other than a subsequent payment agreement, in which a case the court may require a down payment in accordance with paragraph I of this code section. Nothing prevents the defendant from voluntarily making a down payment upon entering any payment agreement. Va Code Ann. Sec. 19.1-354.1 (E).
18. The court shall not deny a defendant the opportunity to enter into a deferred, modified deferred, or installment payment plan agreement solely (i) because of the category of offense for which the defendant was convicted or found not innocent, (ii) because of the total amount of fines and costs, (iii) because the defendant previously defaulted under the terms of the payment agreement, modified deferred payment agreement, or installment payment agreement, (iv) because the finds and costs have been referred for collections pursuant to Section 19.2-349 or (v) because the defendant has not established a payment history. Va Code Ann. Sec. 19.2-354.1(C).
19. Any payment received within ten (10) days of its due date shall be considered to be timely made. Va Code Ann. Sec. 19.2-354.1(G).
20. At any time during the duration of a payment agreement, the defendant may request a modification of the agreement in writing (form DC-211), and the court may grant such modification based on good faith showing of need. Va Code Ann. Sec. 19.1-354.1(H).
21. A defendant whose sole source of income is a Social Security benefit or Social Security Income may notify the court on the DC-210 Fines and Costs Payment Agreement or in writing and will not be required to pay until they have another resource of income. Upon receipt, the account will be update and will be given an indefinite due date. The account does not transmit to collections and is not subject to tax set off collections. This does not apply to the restitution portion of the account and is not exempt and is subject to collection efforts. Note: interest and collection fees assessed prior to the court being notified in writing will not be forgiven. Va Code Ann. Sec. 19.2-354.1