

## GUIDELINES FOR PAYMENT OF COURT COSTS, FINES AND RESTITUTION IN CRIMINAL CASES

Arlington Circuit Court requires a minimum payment of \$100 per month on all outstanding court costs, fines and restitution. This amount may be higher depending on individual income. Any person who is financially unable to pay \$100 per month may petition the Circuit Court to perform community service in lieu of payment of fines and costs (not restitution) or request a lower monthly payment.

An individual has 45 days from the date of sentencing (or release from incarceration on this jurisdiction's charge) to either pay the account in full or set up a payment plan. Failure to do so will result in your account being in default.

For any account in default, DMV will automatically suspend your Virginia driver's license, which suspension will be effective on the 45<sup>th</sup> day from the date of conviction or immediately after the due date of a missed payment or thirty days following notice that a check has been dishonored by the bank or issuing institution. In addition, accounts that are in default will be turned over to collections and incur a 17% collection fee, as well as 6% interest. The Arlington County Treasurer's Office processes collections for the Arlington Circuit Court.

Virginia law provides one chance to reinstate your account with the Clerk's office (along with reinstating your driver's license with DMV) after a default. In order to reinstate your account, you will need to make any and all payments previously due and owing up to and including the date of reinstatement, and enter into a new payment agreement. To have your driver's license reinstated, you also must pay to DMV any reinstatement fee assessed by DMV. The Circuit Court has no control over the fees charged by DMV.

Failure to make payment as agreed after a payment plan has been reinstated with the Clerk's office will constitute a second default. Your Virginia driver's license will be automatically suspended by DMV immediately after any payment has been missed, as described above, and your account will be turned over to collections for all future processing, subject to the 17% collection fee and 6% interest. Payment plans cannot be reinstated with the Clerk's office upon a second default, you will need to deal directly with the Treasurer's office regarding collection terms.

All individuals owing court costs, fines, and/or restitution are subject to Virginia tax set-off regardless of any payment plan or community service alternative.