

PETITION FOR INSTALLMENT OR DEFERRED PAYMENT PLAN

Defendant: _____

Case Number(s): _____

Current Address: _____

Phone Number: _____

*Total Due: \$ _____ *Due Date: _____

*Restitution Due (if applicable): \$ _____ Court Ordered Monthly Payment: \$ _____ Due Date: _____

PAYMENT PLAN GUIDELINES

*To calculate the due date, add the 'Time to Pay' that corresponds with your 'Total Due' to today's date. Please contact the Clerk's Office if you need your total amount due. Restitution will be included in the below guidelines if a specific time was not ordered by the court. For example, I owe \$450 and today's date is 8/1/2013. My due date will be 6 months from 8/1/2013, which would be 2/1/2014.

<u>Total Due</u>	<u>Time to Pay</u>
\$0 – \$500	6 Months
\$501 – \$1,000	1 Year
\$1,001 – \$3,000	2 Years
\$3,001 – \$5,000	3 Years
\$5,001 +	4 Years

PAYMENT TERMS AND CONDITIONS

- As a condition of this agreement, I must promptly inform the court of any change of my mailing address during the term of this agreement;
- If the fines, costs, forfeitures, restitution, penalties, and/or interest are not paid in full by the date ordered, the Court shall proceed according to the provisions of Virginia Code § 19.2-358, which state that a show cause summons or capias for my arrest may be issued;
- The amount(s) set out in this Order and Notice may be administratively amended by the Clerk of this Court in the event additional costs should be assessed and if additional costs are assessed, the clerk will forthwith issue a notice to me of the new total amount due by first class mail to my last address of record;
- The Court or Clerk thereof may adjust the final payment date administratively, without further notice to me, for installment payment agreements, if I fail to make a scheduled payment or for deferred payments, if I fail to pay in full by the due date ordered, for the purposes of referring the account for action pursuant to Virginia Code § 19.2-349(A), or for extending the Court's available time to pursue action pursuant to Virginia Code § 19.2-358;
- If the Court has ordered deferred or installment payments, I must make all required payments on time and if I fail to make a scheduled payment, my driver's license shall immediately be suspended forthwith pursuant to Virginia Code § 46.2-395; and
- Upon notification by a court that my license has been suspended pursuant to Virginia Code § 46.2-395, that the Commissioner of the Department of Motor Vehicles shall also suspend all of the registration certificates or license plates registered solely in my name and thereafter shall not issue any registration or license plates for any other vehicle that I seek to register solely in my name.
- If the court does not receive payments as ordered, my case will be referred for collection enforcement action under §§ 19.2-349, 19.2-353.5, 19.2-358, 46.2-395, or 58.1-520 through 58.1-534 of the Code of Virginia and that if any part of the amount due remains unpaid, pursuant to § 19.2-358, I may be subject to a jail sentence of up to 60 days or an additional fine of up to \$500.00. If my case is referred for collection enforcement action under § 19.2-349, the amount I owe and that can be collected will be increased to reflect the additional costs associated with collection action.

AGREEMENT AND ORDER FOR INSTALLMENT OR DEFERRED PAYMENT PLAN

I (defendant) do hereby certify that I understand the terms and conditions should I fail to meet the terms of the payment contract. I further certify that I will advise the Court of any change of address occurring during the period of this payment arrangement.

Defendant's Signature

Date

NOTARY ACKNOWLEDGMENT

State of _____, County of _____,

Subscribed and sworn to/affirmed before me on this date by the above-named defendant.

Date

Notary or Deputy Clerk

My commission expires: _____

Notary Registration number: _____

Upon due consideration, the Defendant's Petition for deferred or installment payments is accordingly ACCEPTED, and the Defendant is ORDERED to pay costs, fines, forfeiture, restitution and penalty in **amount stated above**, plus any added court-appointed attorney fee, court reporter fee, penalties and interest, if applicable, by making a deferred payment in full on or before on the **due date stated above**.

Clerk/Deputy Clerk Signature

Date

INSTRUCTIONS FOR COMPLETING PAYMENT PLAN

- Defendant will fill out this form and sign it in front of a notary.
- Defendant will return this form to the Clerk's Office by fax 804-469-5386, email, or mail: PO Box 63, Dinwiddie, VA 23841.
- Defendant will pay the Clerk's Office the down payment of \$30 by credit/debit card (fees apply) or by check/MO via mail.
 - Note: Restitution payments cannot be paid by credit cards
- Clerk will update your case(s) to reflect the new payment agreement, after it receives your down payment and form.