

**FAIRFAX CIRCUIT COURT**  
**CRIMINAL DIVISION**  
4110 Chain Bridge Road, Suite 409  
Fairfax, VA 22030  
703-691-7320 (press 3, then 2)

## Criminal Division – Payment Options

### Payment Due:

All Fines, Court Costs, Penalties & Restitution must be paid in-full the day of sentencing. If you are unable to pay the day of sentencing or have been sentenced to a period of incarceration, you must contact the Criminal Division immediately to discuss one of the following options:

Per Va Code §19.2-354.1 (J): 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](#).

### Payment Plan Agreement Options:

#### Fines, Court Costs and Penalties

The following Payment Plan Agreement Options are available. Some options could require you to submit a Financial Statement using form DC333 which will be filed in the Criminal Division of the Circuit Court:

- **Installment Payment Plan** – A plan in which the defendant agrees to make monthly or other periodic payments until the Fines and Costs are paid in full. Fines and Court Costs must be paid per the terms of the payment plan or penalties\* will be assessed.
- **Deferred Payment Plan** – A plan in which the defendant agrees to pay the full amount of the Fines and Court Costs at the end of a stated term and no installment payments are required. (*This option must be granted by a judge*) Fines and Court Costs must be paid in full by the Deferred Due Date or penalties\* will be assessed.
- **Modified Deferred Payment Plan** – A deferred payment plan in which the defendant also agrees to use best efforts to make monthly or other periodic payments. (*This option must be granted by a judge*) Fines and Court Costs must be paid in full by the Deferred Due Date or penalties\* will be assessed.
- **Fines Option Program** – Community Service work to defray Fines and Costs. (*This option must be granted by a judge*). Complete the online application and submit it in the Criminal Division, Suite 409.  
<https://www.fairfaxcounty.gov/circuit/sites/circuit/files/Assets/Documents/PDF/criminal-fine-options-program.pdf>

#### Restitution Owed to a Victim

A Restitution Payment Plan Agreement is required to be submitted to the Court no later than the day of your sentencing and can ONLY be approved by an Order of the Court. Whether Restitution payment is ordered to be paid to the Court in monthly installments or deferred to a specific date, Restitution payments MUST be received by the Restitution Payment Plan Agreement Due Date. If you miss a monthly installment (or we do not receive payment by the Due Date) penalties\* will be assessed and could be a violation of your probation. (*Note: Interest is only assessed on Restitution if it is specifically ordered by the Court. Court-ordered Restitution Interest is **not** a penalty for violation of a Payment Plan Agreement.*)

#### \*Penalties:

Should you fail to timely pay Fines, Court Costs, Penalties and/or Restitution as agreed per the payment plan arrangements made with this Court, the following will occur:

- Interest will be assessed. (*Note: Interest is only assessed on Restitution if it is specifically ordered by the Court. Court-ordered Restitution Interest is **not** a penalty for violation of a Payment Plan Agreement.*)
- Referral to Collections, plus the assessment of a Collection Fee equal to 17% of the principle amount reported.
- Claims against any of your Tax Returns and/or Lottery Winnings.
- You may be held in Contempt of Court, which may result in additional fines and/or incarceration. Any suspended sentence may be revoked.

**Modify or Re-establish:** Modification of a current Payment Plan or re-establishing a Payment Plan after default is possible. Any defendant may petition the Court if they 1) would like to request that the terms of the current payment plan be modified or 2) have defaulted on a payment plan and would like to establish a new payment plan. (*This option must be granted by a judge*).