

FINES AND COSTS



The court has no discretion when assessing court costs— they are **required by law in the Code of**

Virginia. Court costs of at least **\$62** will be automatically added to most fines before payment can be made. Therefore, if the judge tells you that your fine amount is \$25, the total most likely will be at least \$87 once court costs are included.

If the judge suspends your fine, you still owe court costs. Check with the Clerk's Office for the exact amount of your fine and costs.

Please note, **drug and alcohol charges** carry additional costs.

If you **failed to appear** for your trial date and were **tried in your absence**, an additional **\$35 fee** is assessed.

An additional fee will be assessed for those represented by a public defender or court appointed attorney.

All fines and costs are due and owing to the court **on the date of conviction**. Arrangements may be made with the clerk if additional **time to pay** is needed, however, an additional **\$10 fee** will be assessed.

LICENSE SUSPENSION

If the judge suspends your driver's license, you **must** surrender your license to the court or DMV.

Until the license is surrendered, additional days (up to 180 days) will be added to the suspension period.

INTEREST

Interest is charged on all unpaid fines and costs **after 40 days**. Currently, the legal rate of interest is **6 percent** per year.

UNPAID FINES

If time to pay is not requested, and any amount remains unpaid **after 40 days**, the unpaid debt will be sent to the **court's collection agency**. Also, the Department of Motor Vehicles (DMV) will be notified to **suspend your driver's license** or privilege to drive in Virginia if your **fines, costs and any applicable fees are not paid within 15 days** of the conviction date, unless a deferred payment plan has been approved.

The suspension will remain in place until: 1) all fines, costs, and fees are paid to the court, or a deferred payment plan is approved, and 2) a reinstatement fee is paid to DMV.

COLLECTION

The **Virginia Tax Department** administers a program to collect outstanding debts owed to state agencies such as courts. In order to **collect** past due fines and costs:

- a portion of **your wages** can be garnished, or
- your **state income tax refund** can be withheld and sent to the court.

BOND REFUNDS

Refund of a **cash** appearance bond may be requested at the appropriate Clerk's Office immediately following the defendant's appearance and the conclusion of the case in court.

The bond can only be refunded to the **person who is listed on the cash bond receipt as having paid the bond**. A photo ID is required.

If no refund is requested following the conclusion of the case, a **cash bond posted by the defendant will be applied to unpaid fines and costs**.

MOTIONS

Motions must be filed and heard within **60 calendar days** of conviction.

A Motion to Rehear does not take the place of an appeal, and does not extend the period to appeal. If you want a new trial, you should file an appeal.

APPEALS

The defendant or his attorney must note a criminal or traffic appeal in **writing within ten calendar days** (not just business days) of conviction. The day after conviction is counted as day one.

A **new return date or trial date** will be assigned at the time of appeal depending on whether the defendant requests a **jury or non-jury trial**.

Any current bond will be continued; however, if jail time is to be served as part of the original sentence, the judge may require a new bond or increase the bond amount. If a new bond is required or there is an increase, the defendant (not counsel) must come to the Clerk's Office to sign any new bond forms.

Fairfax County General District Court
4110 Chain Bridge Road
Fairfax, Virginia 22030

Criminal: 703- 246-3305
Traffic: 703-246-3764
TTY for *Hearing Impaired Only*: 711

Fairfax City General District Court
10455 Armstrong Street,
Fairfax, Virginia 22030
Phone: 703-385-7866

www.courts.state.va.us

For reasonable ADA accommodations
or an alternate format please contact
703-246-2153



A Fairfax County, VA
Publication
October 2010

What Happens After Conviction



Traffic and Criminal Divisions

Fairfax County and Fairfax City General District Courts