

VIRGINIA: IN THE CIRCUIT COURT OF CULPEPER COUNTY

IN RE: COMMUNITY SERVICE FOR PAYMENT OF FINES AND COSTS
PURSUANT TO VIRGINIA CODE § 19.2-354

ORDER

In addition to the payment installment agreement Order entered by this Court on July 1, 2024, a defendant may receive credit towards their fines and costs through performance of community service pursuant to Virginia Code § 19.2-354. However, such credit shall not be allowed for the payment of any restitution or restitution interest. In addition, no credit will be given for any performance of any work completed by a defendant while incarcerated and any community service performed for the purpose of receiving credit towards fines and costs pursuant to this Order shall occur within the Town and/or County of Culpeper, Virginia.

For a defendant to qualify for this credit, they must be on active supervised probation Ordered by this Court. The community service must be performed at a nonprofit organization as defined by the Internal Revenue Service to be a 501 (c) (3). The defendant shall receive credit at a rate of \$17.00 an hour for community service performed. The defendant must first notify their Probation Officer that they desire to perform community service to satisfy their fines and costs. After they complete said community service, District 26 Probation and Parole shall verify the hours and send the information to the Court. After the Court has reviewed and approved said hours, the Clerk of this Court shall apply the credit towards the oldest case number(s) for which the defendant owes fines and/or costs without further Order of this Court. Credit shall only be applied for whole hours worked, no half credit or partial credit will be given.

If a defendant is not on active supervised probation Ordered by this Court, then any other requests to apply credit from community service hours performed to fines and costs shall be provided in writing, in-person, to the Clerk of this Court. The Clerk shall then place the matter for a hearing on the next available Motions Day of this Court, but no sooner than ten (10) days of filing. The Clerk of this Court shall give the defendant a copy of the hearing date and time at the time of filing, with a courtesy copy to the Attorney for the Commonwealth. If the defendant does not appear on said date and time, then the request shall be denied. Should the request be granted, the Court, through further Order, will direct the parameters of applying credit for community service hours completed towards fines and costs.

Furthermore, if your sole financial resource is a Social Security benefit or Supplemental Security Income and you have acknowledged such on signed form, then you are not required to pay until you have another resource of income. As long as your sole income remains unchanged, your account(s) will not go to collections. However, any restitution or restitution interest is not included in said exemption of payment and is due as this Court has previously Ordered, and, as earlier stated, community service cannot be performed to satisfy restitution or restitution interest.

This Order supersedes the previous Order entered on February 26, 2024.

ENTER: 
DALE B. DURRER, JUDGE

DATE: 7/1/24

Copy provided on 7/1/24 to:
Attorney for the Commonwealth
District 26 Probation and Parole

Posted on Vault Door in Clerk's Office on 7/1/24