REPORT OF THE SUPREME COURT OF VIRGINIA

Study of the Accessibility and Modernization of Court Payment Systems for Any and All Transactions Conducted by and for the General District and Circuit Courts (Chapter 759, 2026)

TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA

HOUSE DOCUMENT NO. 12

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SUPREME COURT OF VIRGINIA

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November 9, 2026

The Honorable Abigail D. Spanberger
Governor of Virginia
P.O. Box 1475
Richmond, VA 23218

The General Assembly of Virginia
General Assembly Building
201 N. Ninth Street
Richmond, VA 23219

Re: Chapter 759, Enactment Clause 2. (Regular Session, 2026)

Dear Governor Spanberger, Senators, and Delegates:

Chapter 759, Virginia Acts of Assembly, 2026 Regular Session (House Bill 1235), amended Virginia Code § 17.1-222.1 to require clerks offering online payments for court fines and fees or costs to also offer online payments for all restitution payments. Enactment Clause 2 directed the Office of the Executive Secretary (OES) to "convene a work group with all relevant stakeholders, to study the accessibility and modernization of court payment systems for any and all transactions conducted by and for the general district court and circuit court."

Prior to the enactment of House Bill 1235, the court payment system designed and maintained by OES allowed for online payments of court fines, fees, costs and restitution. The OES online payment system (OES system) is utilized by all district court clerks. Only 10 circuit court clerks choose not to utilize the OES system; of those identified, some do not accept any online payments.

The work group was comprised of OES staff, clerks who utilize the OES system, and a clerk who utilizes a different online payment system. A list of workgroup members is attached. The work group met once, on October 13, 2026, to discuss recommendations regarding the accessibility and modernization of court payments systems.

For purposes of this report, the work group studied the OES system and the Fairfax County Circuit Court online payment system.

The workgroup looked at the terms "fines," "fees," "costs," and "restitution" used in House Bill 1235 to determine what transactions, if any, would not be included. The work group concluded that those terms cover all transactions in a criminal case. This determination highlights the accessibility of online payments for criminal case transactions given the recently enacted legislation requiring clerks to offer online payments for restitution, if the clerk's office offers online payments for fines, fees or costs.

While the majority of payments made to the clerks' offices can be made through an online payment system, the work group identified a few instances where this is not the case. One such instance involves the prepayment of violations of local ordinances. The OES system does not offer online payments for violations of local ordinances until after the court hearing.[1] Additionally, the work group noted that a circuit court clerk has the discretion to stop accepting online payments for specific individuals. The work group indicated that this mainly occurs in cases where an individual previously disputed a credit card payment made to the court. While circuit court clerks have such discretion, district court clerks are not able to reject online payments, even in situations where an individual has previously disputed the charges made.

In studying the accessibility and modernization of the online payment systems, work group members expressed concerns with accepting credit card payments online, especially for restitution. Work group members indicated they have seen an increase in the number of disputed credit card charges which impacts a clerk's ability to follow requirements for collecting, maintaining, and distributing funds. The circuit court work group members indicated that there are a larger number of disputed transactions from online payments than from the payments made in person in clerk's offices. The concern expressed with accepting credit card payments for restitution stems from the timing of the distribution of restitution funds in contrast to the allotted time for individuals to dispute a credit card charge. Work group members indicated that given the timeline for resolution of such disputes, they are forced to delay disbursement of restitution payments so that they avoid a need to recall the funds paid to victims or be faced with discrepancies in the court's accounting of funds.

When specifically addressing restitution payments, work group members highlighted the confusion defendants can experience in making online payments in accordance with a court's order, because the OES system does not identify the cases

[1] This is for cases where an individual is only charged with violating a local ordinance, not the cases where the local ordinance is charged in conjunction with a violation of the Code of Virginia.

where restitution has been ordered on the payment screen. The same is not true of the online system utilized by Fairfax County. When utilizing the OES online payment systems defendants are able to select and make payments in any case that has been assessed fines, fees, costs or a judge ordered payment of restitution. If a defendant does not select the case with restitution, it can remain unpaid and a defendant would potentially be in violation of a court order if the court ordered restitution to be paid first or paid by a particular date. To address this concern, the work group recommended updating the OES systems to include an indicator that identifies the cases restitution is owed. Such indicator would allow users to prioritize payments for cases with outstanding restitution before making payments towards other cases. However, the OES systems would not require payments be made to that case until restitution is paid. OES has estimated the fiscal impact for updating the system as explained to be approximately $136,736.21.

The work group also recommended updating online payment systems to show individuals a breakdown of the amount into payment categories. OES anticipates this can be accomplished by adding an icon to the payment selection screen of its systems. When the icon is clicked, the following payment categories would display: (1) Fines, costs, forfeitures and penalties; (2) Interest on fines, costs, forfeitures and penalties; (3) Restitution; (4) Interest on restitution; and (5) Collection increase rate amount. OES has estimated the fiscal impact for updating the system with those specific categories to be approximately $85,877.57.

In conducting its work, members of the work group noted that many of the accessibility issues they see come from individuals who misunderstand how to utilize the system; however, members identified several areas that could be improved to lessen user error. Currently the OES system and the system utilized by Fairfax County have a number of steps to complete the payment process. While there are instructions for the OES system, members recommended improving the systems to lessen the number of steps for payments to modernize the systems and improve accessibility. Members agreed that creating a QR code that sends individuals directly to the appropriate payment system would reduce the number of steps it takes users to complete the payment process. These QR codes can be posted in appropriate locations in the clerks' offices and courthouse and included on forms provided to defendants. The cost to create a QR code directing individuals to the appropriate OES payment system and thus reducing the number of steps an individual goes through before a payment is processed is $126,746.93.

Another identified user error occurs when payments are being processed. Members indicated that while the payment is processing, there is no warning on the page ensuring the user does not close the browser or hit the back button. In doing so, the individual may be unaware payments are processed, and instead they make a

duplicate payment. The work group recommended creating a pop up that warns individuals the system is processing the payment and that they should not leave that screen until payment has been finalized. After the work group meeting, OES staff learned that the OES system for online payments for general district courts had this warning. Once notified that the circuit court online payment system did not, the Department of Judicial Information Technology updated the system so that it now includes a warning pop up to ensure individuals are aware they should not close the browser or hit the back button.

The work group also recommended that individuals be given the option of being notified by text that their payment was processed. Members recognized that more individuals are using phones to make payments and this notification could prevent duplicate charges. The work group indicated that many people do not have an email account or frequently check their emails, so having this option would allow more individuals to be notified that their payment had been processed. OES anticipates the amount of funding needed to include the option for text message notifications to be $281,560.88. This upgrade will also incur an annual ongoing fee of $20,000.

In summary, the OES system and the Fairfax online payment system currently allow all transactions in criminal matters to be paid online. The work group articulated several ways in which the OES and Fairfax systems could have improved accessibility and become more modernized. In order to make the workgroup's suggested changes to the OES systems, OES will need additional funding. The approximate amount of funding needed for OES to implement all recommended system improvements is $630,922 for development and an annual ongoing cost of $20,000.

If you have any questions regarding this report, please do not hesitate to contact me. With best wishes, I am

Very truly yours,

KRH

Karl R. Hade

KRH:jrs
cc: Division of Legislative Automated Systems
Attachment

Study of the Accessibility and Modernization of Court Payment Systems for Any and All Transactions Conducted by and for the General District and Circuit Courts Workgroup Members

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