

## **Instructions for Processing Bad Checks**

Once a check has been returned to you by your bank:

1. Prepare a written notice (sample enclosed) to the person who wrote the check, to be mailed to the address listed on the check.
2. Make three copies of this notice:
  - one to send to the check maker,
  - one to keep for your files,
  - one to later send to the Prosecutor's Office.
3. Send the notice to the check maker by certified mail.

Wait ten days from the date your notice was mailed, then if arrangements have not been made to take care of the check:

4. Fill out the "Report of Bad Check" form (enclosed) (*feel free to make additional copies*).
  5. Mail or drop off the following to the Prosecutor's Office:
    - the completed "Report of Bad Check" form,
    - the original check,
    - the third copy of the notice you sent to the check maker,
    - the returned certified mail green card (and the envelope if it was returned "unclaimed").
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Upon receipt of the above information, the Prosecutor's Office will then send another "ten day" notice to the check maker. Following the expiration of this new ten day period we will contact you by postcard to determine if the check has been paid. If not paid, we will draft criminal check deception charges for you to sign and contact you again to stop by the office and sign them.

Once you have signed the charges, they will be served on the check maker by the Sheriff Department's process servers and a court date will be set. At this court date, you do not have to appear. If the check maker appears in court we will attempt to obtain an order from the judge requiring payment of the full restitution to you. If the check maker does not appear in court (and the papers were served on them), we will immediately obtain a warrant for their arrest. If they were not served with the papers, we will prepare another form indicating that person cannot be found and contact you to again stop by the office for your signature. This new form will then be filed with the court and an arrest warrant will be obtained at that time.

If the check maker does not voluntarily appear in court, no further court proceedings can be had until they are arrested on the outstanding warrant.