

Requirements To File A Bad Check Complaint

The following guidelines are to be followed in processing fraudulent check complaints:

1. Before an information will be honored by the Justice Court the complainant must mail a registered letter, return receipt requested, to the subject involved. The letter must stipulate the following:
 - a. That the subject's check was returned by the bank unpaid.
 - b. The reason for non-payment.
 - c. That payment is requested within ten (10) days or the complainant will proceed with criminal action.
2. The check must be protested on the bank it is drawn on.
3. A signed information (accusatory instrument) and complaint from the person who personally received the check, or if that is not possible, a representative of the business that received the check.
4. No checks will be accepted that have been presented more than 30 days after date of utterance
5. Proper endorsement on the rear of the check when check is made out to cash.
6. Proper identification must be taken from the drawee of the check.

The following will not be accepted:

- Stop Payment Checks
- Second Party Checks
- Checks that have not been presented twice for payment, NSF only
- If any acceptance of partial payment has been made.

ALL of the aforementioned requirements MUST be met before a complaint can be taken for a bad check