

## Deposit Account Fraud Steps

### IMPORTANT INFORMATION:

**Deposit or present the check promptly.** If the check is not received by the customer's bank within **30 days** of receiving it, you may not be able to prosecute criminally.

Multiple checks each \$100.00 or less, from same maker and drawn on the same bank within 90 days of one another, may be added together (up to 3) on one Bad Check Application. One application fee of \$20.00 will apply.

*\*\*\*\* If the check is returned marked "STOP PAYMENT" OR "ENDORSEMENT CANCELLED", examine the possibility of filing your claim in Civil Court – NO 10 Day Letter is Required. \*\*\*\**

### TO DETERMINE WHICH COUNTY TO FILE IN, THE GENERAL RULE IS:

**For Criminal Actions:** Go to the county in which the giving and receiving of the check took place.

**For Civil Actions:** Go to the county in which the person resides or place of employment.

### WHAT TO GIVE TO THE MAGISTRATE COURT:

#### **Pursing Criminally:**

- The bad check (original from bank)
- A copy of the "10 day letter" that you mailed to the customer
- Certificate of Notification: form is used to certify that you mailed a 10 day letter
- A completed Bad Check Application
- Fee \$20.00 for each check you are submitting over \$100.00 each

#### **Pursing Civilly:**

- The bad check (original from bank); stating "Closed Account", "Stop Payment" or "Endorsement Cancelled"
- A completed Statement of Claim Form
- Fee of \$79.00 applies

**STATUE OF LIMITATION:** The Statue of Limitations is two (2) years for a misdemeanor and four (4) years for a felony. (Any checks in the amount over \$1,500.00 or OUT OF STATE CHECKS are considered a felony.)