

**KIRKE ADAMS
DISTRICT ATTORNEY
33RD JUDICIAL CIRCUIT**

GUIDELINES FOR WORTHLESS CHECKS

- 1) The transaction must have taken place in Dale County.
- 2) The check writer must be 18 years of age on or before the check date. Any checks written by a juvenile must be taken to Juvenile Probation.
- 3) We request that you obtain a warrant within 45 days of the check date. **All checks must be dated less than one year prior to obtaining a warrant (Statute of Limitations).**
- 4) You must attempt to cash the check within 30 days, as required by State law.
- 5) The check must be stamped by the bank with the following:
 - a. INSUFFICIENT FUNDS, or
 - b. ACCOUNT CLOSED
- 6) No checks will be accepted that are stamped:
 - a. STOP PAYMENT
 - b. UNCOLLECTED FUNDS
 - c. REFER TO MAKER
- 7) We cannot accept:
 - a. Two-party checks
 - b. Checks which have been partially paid
 - c. Checks which have been first sent to a private collection agency
- 8) If the check has been stamped INSUFFICIENT FUNDS, a notice, on the required form, must be sent by certified mail. The letter must be addressed to the person who signed the check. If the letter is accepted, the Post Office will return the green card that is attached to the letter, showing the date the letter was received, and bearing the signature of the person whom accepted the letter. The check writer must be given TEN (10) FULL DAYS FROM THE DATE THEY RECEIVED THE LETTER to make the check good. This means that you may obtain a warrant only on the 11th day from the date stamped on the green card. Be sure and bring the green card along with the check when you bring it in to our office. We cannot issue a warrant without them.

- 9) If the certified letter is unclaimed, and is returned to you, no waiting period is required. You may bring the check immediately in to our office. Be sure to bring the letter with the green card still attached when you bring the check to us.
- 10) After filing a warrant, be sure to advise any authorized cashier in your business to refuse payment from the check writer. Once the warrant has been obtained, restitution must be made through the Worthless Check Unit. If you receive payment through the mail, you must return it to the party and tell them that they will have to contact our office.
- 11) OUR SUCCESS IN GETTING YOUR RESTITUTION FOR A WORTHLESS CHECK COULD DEPEND ON THE ACCURACY OF THE INFORMATION YOU BRING US. The District Attorney's Office strongly urges you to make it company policy to obtain all of the following information from the person who is presenting you the check:
 - a. From the drivers license: license number, state, date of birth, Social Security Number
 - b. Current physical address, home telephone number, name of employer and work number
- 12) Please wait 4 to 6 weeks before making inquiry about your check case.
- 13) Any restitution we collect for you will be sent at the first of the month, through the mail. It is very important that you notify us as soon as possible if you have any address change.
- 14) The Worthless Check Unit cannot process checks that are known to be forgeries. Victims should refer those cases to their Municipal Police Department or the County Sheriff Department.
- 15) **Remember**, you must bring the following when obtaining a warrant:
 - a. **The Original Check**
 - b. **The Return Receipt Request Card (green signature card) or the certified letter you sent, in its original unopened envelope, with the green card still attached.**

**WORTHLESS CHECK ENFORCEMENT UNIT
DALE COUNTY COURTHOUSE
POST OFFICE BOX 1688
OZARK, ALABAMA 36361-1688
(334) 774-9500**