

FILING A RETURNED CHECK

(TIPS FOR MERCHANTS CONCERNING CHECKS)

NOTE: Our office will make every effort to collect and/or prosecute hot check cases. However, due to legal and practical restrictions, there are certain checks that we cannot accept. Please review our “Don’t Get Burned” page to make sure that the checks YOU are accepting do NOT fall into these categories.

Follow These Steps To File A Check For Collection and/or Prosecution By Our Office:

1. NSF CHECK, ACCOUNT CLOSED, STOP PAYMENT, ETC. CHECKS
 - Send a Certified Letter demanding full payment within 10 days (Our office will furnish you the proper, fill-in-the-blank form, or get it from the end of this section).
 - If unclaimed, there is no time period to wait for filing your check.
 - If claimed, wait 10 days from date on green card.
 - You must file the RETURNED LETTER OR GREEN CERTIFIED MAIL CARD with the ORIGINAL CHECK and our WORTHLESS CHECK INFORMATION FORM.

2. OBTAIN A FILING FORM FROM THE DISTRICT ATTORNEY’S OFFICE
 - Our office will furnish you with the form, or get it from the end of this section.
 - Fill the form out completely and accurately.
 - The information must be LEGIBLE. You may print or type the information. The form may be entered in your computer and filled out and then printed.

- The paperwork may be delivered to the District Attorney's Office or may be mailed. If mailed, please send Certified Mail, Returned Receipt Requested. Mail to the following address:
 - D.A.'s Office
 - Attn.: Check Division
 - 1085 Pearl Street, 3rd floor
 - Beaumont, TX 77701
- Your receipt will be mailed to you as soon as we have processed the checks.

3. THE ORIGINAL CHECK MUST ACCOMPANY THE WORTHLESS CHECK INFORMATION FORM AND THE RETURNED LETTER OR GREEN CARD

- Make a copy of all paperwork for your records

DID YOU KNOW?

- Filing a check with the District Attorney's Hot Check Department is FREE?
- We will collect the \$30.00 merchant fee on all checks (YOU MUST HAVE A SIGN POSTED THAT IS VISIBLE TO THE CHECK WRITER)?

WORTHLESS CHECK INFORMATION

Date Received: _____ Date of Offense: _____

Defendant: _____

Address/City/Zip: _____

Description of Defendant: Sex _____ Race _____ DOB _____ Age _____

Other Identification or Remarks: _____

Name of Individual Who Accepted Check(s): _____

Title of Business: _____

Address of Business: _____

Phone # of Business: _____ FAX # of Business: _____

Doing Business As: Corporation _____ Partnership _____ Individually Owned _____

Amount of Check(s): _____

Received in Return for Check: Cash _____ Merchandise _____
Services _____ Other _____

Name of Bank Check Drawn On: _____

Reason Check Returned: Insufficient Funds _____ Account Closed _____ Other _____

Identification: Drivers License # _____ Identification Card # _____

Who Can Personally Identify the Defendant and How: (Personally acquainted; Regular Customer; Standard Policy): _____

Who Was Check Made Payable to: _____

Who Endorsed Check: _____

Who Contacted Defendant and How: _____

Further Information: _____

AUTHORIZATION: NAME OF PERSON WHO WISHES TO FILE FORMAL CRIMINAL CHARGES

Printed Name: _____ Signature: _____

Title: _____ Place of Birth: _____

Home Address/City/Zip: _____

Home Phone #: _____ Business Phone #: _____

DOB: _____ Age: _____ Race: _____ Sex: _____

WORTHLESS CHECK NOTIFICATION

Date: _____

To: _____

TOTAL AMOUNT DUE

\$ _____

This letter gives you official notice in accordance with the Texas Penal Code that the check drawn on your account at the _____ Bank/Credit Union, in the amount of \$ _____, dated _____ Has been returned to me by this bank for the below marked reason:

_____ **This is a demand for payment in full for a check or order not paid because of lack of funds or insufficient funds. If you fail to make payment in full within ten (10) days after the receipt of this notice, the failure to pay creates a presumption for committing an offense, and this matter may be referred for criminal prosecution.**

_____ **This is a demand for a check or order not aid because of a stop payment placed on the check or order. If you fail to make payment in full within ten (10) days or you do not return the property ten (10) days after the date of receipt of this notice, the failure to ay or return the property creates a presumption for committing an offense, and this matter ay be referred for criminal prosecution.**

_____ **This is a demand for a check or order not paid because the account in which it is drawn is closed. There is no notice requirement for the prosecution of this check, however as a courtesy a notice is given. Failure to make payment in full within ten (10) days after the date of receipt of this notice creates a presumption for committing an offense, and this matter may be referred for criminal prosecution.**

As authorized by Art. 9022 Vernon's Civil Statutes, an additional \$30.00 processing fee is established.

Mail restitution to: _____

