

Check Screening Tips

Note the check's date.
Post-dated checks normally
cannot be prosecuted.

Be wary of new accounts.

Get
a
complete
street
address,
not just
a P.O.
Box,
and
verify
phone.

John Doe
123 Somewhere Ave.
Anytown, USA 12345
(999) 999-0000

1002

11/05/2007

Your Business

\$75.20

Seventy Five Dollars & 20/100

John Doe

Make
sure
written
and
figure
amounts
match.

Observe the writer's signature and make
sure the signature matches their I.D.

Check Acceptance Tips:

- Institute a check acceptance policy. A clearly posted check acceptance policy for your employees and customers can go a long way toward reducing your losses.
- Confirm the date on the check. Post-dated checks are civil matters and are not accepted in the Bad Check Restitution Program.
- Trust your instincts! If something doesn't seem right, ask questions or ask for another form of payment. You are not obligated to accept a check.

How to Determine Whether a Check is Eligible for the Program

A check is **ELIGIBLE** if:

- The amount is no more than \$5,000 (or multiple checks do not exceed this limit). There are no minimum dollar restrictions.
- It was received in Santa Clara County and deposited in a bank in exchange for goods or services and presumed "good" at the time of acceptance.
- A "Courtesy Notice" was sent to the check writer allowing 10 days to make the check good.
- A photo I.D. (driver's license, state identification card) was recorded at the time of the transaction.

A check is **INELIGIBLE** if:

- It is post-dated.
- Both parties knew there were insufficient funds at the time of transaction.
- It is an out-of-state, two party, stop payment, government or payroll check.
- The identity of the check writer is unknown.
- There is no amount, date or signature on the check.
- The check has not been processed by a bank.
- The check involves an "extension of credit" or was payment on an account.

Checks ineligible for the Santa Clara County District Attorney Bad Check Restitution Program may be pursued via small claims court process or by a private collection agency.

Santa Clara County District Attorney Bad Check Restitution Program

P.O. Box 26370

San Jose, CA 95159-6370

(postal address only)

www.checkprogram.com/santaclaracounty

1-877-520-6137

Brochure not printed at taxpayer expense.

"Don't be a Victim of Bad Checks!"

Jeff Rosen

District Attorney



Bad Check Restitution Program



The Office of the District Attorney,
Santa Clara County, CA

A Message From Jeff Rosen District Attorney



As your District Attorney, I'm always concerned about bad checks passed to local businesses. Bad checks cost merchants millions of dollars each year. Some of these losses are passed onto consumers, and result in increased taxes to cover the additional costs for law enforcement and prosecution.

To combat this problem, I have organized the Bad Check Restitution Program to assist local merchants with bad check losses. The primary goal of the program is to obtain full restitution for the victim without adding to the financial burden of the criminal justice system.

First time bad check offenders are given the opportunity to avoid criminal prosecution by attending a mandatory intervention class, in addition to paying restitution. All of this is accomplished without any cost to the taxpayers.

Your interest and participation in this special program will benefit all law abiding citizens and help your business improve its bottom line!

Cutting Your Losses *As Easy As 1-2-3*

- 1.** Make personal contact with the check writer; if you are unsuccessful, send a courtesy notice. The check writer has 10 days to respond and remit payment.
- 2.** If you do not hear from the check writer or receive payment, simply contact the Bad Check Restitution Program at [1-877-520-6137](tel:1-877-520-6137) for a crime report.
- 3.** Fill out the report, attach originals (you retain photocopies) of all checks and notification documents, such as return receipts and bank notices, and mail to:

Santa Clara County District Attorney Bad Check Restitution Program

P.O. Box 26370
San Jose, CA 95159-6370

If you do not receive restitution within 60 days, contact the Santa Clara County District Attorney Bad Check Restitution Program.

[1-877-520-6137](tel:1-877-520-6137)

Santa Clara County District Attorney Bad Check Restitution Program Works Because...

- Bad check crime reports are easy to file and follow-up action is prompt.
- Upon recovery, 100% of the face value of the check is returned to the merchant.
- There is no minimum dollar restriction.
- Bad check offenders must complete an educational class at their expense.
- The program operates at no cost to the county or the taxpayers.