



## How to Determine a Check's Eligibility for the Program

### A check is **ELIGIBLE** if:

- ☑ It was received in Brevard or Seminole Counties, deposited in a bank in exchange for goods or services and was presumed "good" at the time of acceptance
- ☑ A Notification Letter was sent to the check writer allowing him/her 15 days to make the check good
- ☑ A photo ID such as a driver's license, military ID, state ID card or check cashing card was accurately recorded at the time of the transaction or the person was personally known to the recipient

### A check is **INELIGIBLE** if:

- ☑ It is pre- or post-dated
- ☑ Both parties knew there were insufficient funds at the time of the transaction
- ☑ It is a government, stop payment or payroll check
- ☑ The true identity of the check writer is unknown
- ☑ The amount, date or signature is missing 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
- ☑ The numerical and written amounts do not match

## If You Receive a Worthless Check

- ☑ Make personal contact with the check writer. If you are unsuccessful, simply contact the Worthless Check Program or go to our website:

<http://www.sa18.org>

to obtain a Worthless Check Affidavit

- ☑ Mail the check writer a Notification Letter following the instructions on the Worthless Check Affidavit.
- ☑ Complete the Worthless Check Affidavit and attach the required documents. Mail the entire packet to the address listed below.



**Worthless Check Program**  
Office of the State Attorney  
2725 Judge Fran Jamieson Way  
Building D  
Viera, FL 32940  
(321) 617-7550



**PHIL ARCHER**  
**STATE ATTORNEY**  
18th Judicial Circuit  
[www.sa18.org](http://www.sa18.org)

## Phil Archer State Attorney



Hundreds of thousands of dollars of goods and services are lost annually in Brevard and Seminole Counties to worthless checks. When a person or business receives a worthless check, they become the victim of a crime just as if someone

took their car from their garage or goods from their shelf. The Worthless Check Program at the Office of the State Attorney, 18th Judicial Circuit, is designed to prosecute people who write worthless checks, achieve restitution for the victims of this crime, and prevent the crime from happening again.

As the State Attorney, I first want to hold the person who wrote the bad check accountable and while doing so, help you recover your losses as quickly as possible. Second, we want to work with businesses and individuals, letting you know the latest in preventive check acceptance procedures. The third facet of the program is to teach the check writer valuable skills to prevent reoccurrence.

The Worthless Check Program intercedes on behalf of the victimized business or individual. Many first-time offenders come forward immediately with restitution once they understand the full range of criminal penalties to which they are exposed. The high percentage of people who successfully complete the diversion program are able to avoid the stigma of a criminal record, the victim is compensated, and the State upholds the law in a cost-effective manner.

Programs of this nature achieve the goals of our office of providing justice, preventing crime, and protecting the victim.

Sincerely,

*Phil Archer*

## Check Screening & Acceptance Tips

The State Attorney's Office is responsible for the criminal prosecution of persons who write worthless checks. Criminal prosecution of worthless checks includes those checks returned for "Non-Sufficient Funds" (NSF) and "Account Closed." Florida Statute Chapter 832 on Worthless Checks requires that a worthless check be prosecuted in the county where the check writer delivered the check. There is no dollar amount restriction.

**Obtain a complete street address and phone number**  
Do not accept a PO Box.

**Is the date on the check correct?**  
Pre- or post-dated checks cannot be prosecuted.

**Be wary of new accounts**  
Is the check number low or non-existent?

John Doe  
123 Anywhere Avenue  
Titusville, FL 32780

Date 12/10/2012

1005

Pay to the order of Your Name/Your Business \$ 753.00  
Seven hundred fifty-three dollars and no/100 Dollars

Friendly Bank  
Titusville, FL

John Doe

**Observe the writer's signature and make sure the signatures match**  
Check the writer's signature against a photo ID, preferably a driver's license. Do not accept checks that have been previously signed.

**Verify figures and written amounts match**  
Banks will not honor checks with discrepancies between the numbers and written amounts.

- Implement a check acceptance policy. Clearly post the policy for all employees and customers to see. This can go a long way toward reducing your losses.
- Accept checks that are written with today's date only. Pre- and post-dated checks cannot be accepted in the State Attorney's Office Worthless Check Program.
- Trust your instincts! If something does not seem right, ask for another form of ID or for another form of payment. You are not obligated to accept a check.