

BAD CHECK STEPS

IMPORTANT INFORMATION:

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

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", you will need to sue 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: This 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 \$95.00 applies

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

**ANY QUESTIONS PLEASE CALL THE MAGISTRATE COURT
OF EFFINGHAM COUNTY AT 912-754-2124**