

THE LAW:

R.S. 14:71-
Worthless
checks are
checks, drafts or
orders issued at
any time to
purchase anything of
value where the
offender knows the
account does not exist,
has insufficient funds, or he
has no authority to issue
a check for that
account.

SAMPLE CERTIFIED MAIL COLLECTION LETTER

Date [of Mailing]

Dear Mr. Doe:

Your check #000 dated August 00,
0000, in the amount of \$0.00, given for
payment of [list items or services
purchased] has been returned by
[his/her bank] marked [reason for
return].

You have ten (10) days from receipt of
this letter to bring payment in cash,
cashier's check or money order for the
amount of the return check plus \$0.00
for my bank fees or this matter will be
turned over to District Attorney Warren
Montgomery's office for prosecution.

Sincerely,

Your Name/Business Name

For Detailed information visit
www.DAMontgomery.org

Office of the District Attorney
Washington Parish- 985-839-6711
St. Tammany Parish - 985-809-8383
DAMontgomery@22da.com



WORTHLESS CHECKS PREVENTION AND COLLECTION

PREVENTION

WARNINGS:

- Be careful of personal checks with low series numbers. About 85% of all uncollected worthless checks are new account numbers between 101 and 150.
- Check the finish on the black magnetic computer numbers on the bottom. Magnetic ink is very dull, never shiny.
- Look for at least one perforated edge. All checks except government or computer-produced will be perforated.
- Look for multi-colored checks from large corporations, but beware of “copier color”.
- Watch for shiny, tacky, raised letters. This is the best indicator of a copied check.

CHECKLIST:

- The check must be dated on the same day as the transaction.
- The check should be signed in your presence and should match the signature on the driver's license or I.D.
- Confirm identity. Take the I.D. into your hands and ask questions from the I.D.
- The address must not be a P.O. Box.
- The written out dollar amount must be the same as the numerical dollar amount.
- Record the type of I.D. Write the I.D. numbers on the check as well as the initials of who is accepting the check.

WHAT QUALIFIES

Not all checks qualify for this program. Visit our website or call our office to make sure your returned check qualifies. The check(s) must have been received in Washington or St. Tammany Parishes and must have been in exchange for something of value. The following checks are not accepted as “worthless checks” by the D.A.’s office. If you receive one of the following checks, you should contact the Justice of the Peace in your area:

- Stop payment check
- Frozen check
- Blocked check
- Post-dated check
- Partial Payment check
- Two party check
- A check given in exchange for a returned check

THE PROCESS

STEP ONE:

See the list of checks that qualify. The check must be stamped by the bank with the reason for the dishonor.

STEP TWO:

Gather the information on the person who wrote the check. You'll need the check writer's name, address, driver's license number and date of birth.

STEP THREE:

Send a certified letter to the writer of the check. A sample letter is on the back of this brochure. You must allow the check writer ten (10) days, from the date you mailed the letter, to make the check good.

STEP FOUR:

If you've not received payment within 10 days, you will need to complete the Worthless Checks Affidavit (which we make available to you) and submit, by mail or in person, the original check and the returned certified letter or the signed green receipt card with a copy of the letter. If by mail, the Affidavit must be notarized.

STEP FIVE:

Once you've submitted the Affidavit and other materials, the legal proceedings start. If restitution is not made, a warrant is issued.

More information and FAQs are available at www.DAMontgomery.org.