

“Don’t be a Victim of Bad Checks”

Bruce L. Castor Jr.,
District Attorney



**Bad
Check
Restitution
Program**

The Office of the District Attorney, Montgomery County, PA

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

A Message From Bruce L. Castor Jr. District Attorney



As your District Attorney, I'm always concerned about the negative impact of bad checks passed to local businesses. Millions of dollars are lost every year by merchants as a result of this ongoing problem. Bad checks affect everyone in terms of higher consumer costs that must be passed on to offset losses, and increased taxes to cover the additional costs for law enforcement and prosecution.

In an effort 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, eight hour 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 **866-292-3593** for a bad check crime report form.

3

Fill out the crime report form, attach originals (you retain photocopies) of all checks and notification documents, such as return receipts and bank notices and mail to:

*Montgomery County
District Attorney
Bad Check Restitution Program
2820 Audubon Village Drive
PMB #353
Norristown, PA 19403
(postal address only)*

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

The Montgomery County District Attorney Bad Check Restitution Program works because...

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



BAD CHECK CRIME REPORT

BRUCE L. CASTOR JR., DISTRICT ATTORNEY
MONTGOMERY COUNTY

7/3/02

FILE REPORTS BY MAIL TO: 2820 AUDUBON VILLAGE DR., PMB 353, NORRISTOWN, PA, 19403
(postal address only)
VICTIM HOTLINE: (866) 292-3593 ■ REFER CHECK WRITERS TO: (866) 292-3585

PLEASE ANSWER THE FOLLOWING QUESTIONS, PRINT ALL INFORMATION IN INK AND SIGN BELOW

1. Was check post-dated at time of acceptance? Yes No 3. Were you asked to hold or delay depositing the check (s)? Yes No
2. Was check received as payment on an account? Yes No 4. Does the check involve an extension of credit? Yes No

A "YES" answer to any of the above questions indicates this is a CIVIL matter and is therefore ineligible for filing with the District Attorney. Please contact the nearest small claims court for instructions on how to proceed with a civil case. If all boxes were checked "NO", please complete this report, date and sign it and forward to the above mailing address.

PRIOR TO SUBMISSION, A "COURTESY NOTICE" SHOULD BE SENT TO THE CHECK WRITER (see sample notice on reverse side)

On what date did you send notice? _____ Please attach documentation. Certified mail fee: _____ Returned item fee: _____

1 SUSPECT	Check writer's full name as written on check				
	Address (s)				
	City	State	Zip	Home Phone #	Other Phone #

Staple Documents Here	Driver's License #	State	Expiration date	Other ID
	How did you obtain the check writer's identification ? <input type="checkbox"/> Drivers License <input type="checkbox"/> Police Report (# _____) <input type="checkbox"/> Check Cashing Card <input type="checkbox"/> Other _____		Do you need notification that this crime report has been accepted into the program? <input type="checkbox"/> Yes <input type="checkbox"/> No If so, please indicate how you would prefer to be notified. <input type="checkbox"/> Mail <input type="checkbox"/> Fax # _____ <input type="checkbox"/> Email _____	

2 CHECKS	Check #	Date Received	Amount	What was check for ?	Person Accepting Check	Can person ID check writer ? <input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

3 VICTIM (person filing)	Victim / Firm Name		Phone	Fax
	Victim Address		City	State Zip
	Name of person filing			Email
	Address where check was accepted if different from the above address			

I understand that I must **NOT** accept restitution from the check writer after filing this report with the Bad Check Program. Initial here _____

I HAVE READ ALL FILING INSTRUCTIONS, AND HEREBY CERTIFY UNDER PENALTY OF PERJURY, THAT ALL INFORMATION IN THIS REPORT IS TRUE TO THE BEST OF MY KNOWLEDGE.

Signature of Person Filing

Print Name

Date Filed

FILING THE BAD CHECK CRIME REPORT:

Victims of bad checks may file a report with the Montgomery County District Attorney, provided there is sufficient information, and that the case meets all eligibility guidelines. The District Attorney's office will seek full restitution for victims whenever possible; however, please keep in mind that this office is a prosecuting agency and therefore make no recovery guarantees. "Restitution" refers to the face value of all checks listed in the report, along with all reasonable "returned item" charges assessed by the bank (a copy of the bank NSF charge must be included).

- A. **FILL OUT REPORT COMPLETELY.** Attach checks and all supporting documents such as **CERTIFIED MAIL RETURN RECEIPT OR UNDELIVERED LETTER, COPY OF "COURTESY NOTICE", "RETURNED ITEM" NOTICES FROM THE BANK (WITH FEES). COPY ALL INFORMATION FOR YOUR RECORDS.**
- B. Mail this report directly to the Montgomery County District Attorney Bad Check Restitution Program. (address listed below).
- C. Once a report has been filed: **ALL** restitution payments must be coordinated by the District Attorney's Office. Should the check writer contact you to make payment, direct them to the Bad Check Restitution Program at (866) 292-3585.

AFTER FILING:

- A. If you do not receive restitution within 60 days, contact the District Attorney Bad Check Restitution Program.
- B. If restitution is not received from the check writer, your report will be evaluated for criminal prosecution.
- C. **IF PROSECUTABLE, YOU WILL NOT RECEIVE FURTHER NOTICE UNTIL THE SUSPECT HAS BEEN ARRAIGNED IN COURT.** This office will retain all checks as a matter of official record. If for some reason the report is not prosecutable, the check (s) will be returned at your request.

SAMPLE "COURTESY NOTICE"

Date

Dear Check Writer:

You are hereby notified that a check numbered _____ in the face amount of \$_____, issued by you on _____ drawn upon _____ bank, and payable to _____, has been dishonored. You have 10 days from receipt of this notice to tender payment of the full amount of such check plus a service charge of \$25, the total amount due being \$_____.

Unless this amount is paid in full within the time specified above, the holder of such check may turn over the dishonored check and all other available information relating to this incident to the District Attorney for criminal prosecution.

Closing,

Your name/address

MAIL BAD CHECK CRIME REPORT AND ALL OTHER CORRESPONDENCE TO:
MONTGOMERY COUNTY DISTRICT ATTORNEY BAD CHECK RESTITUTION PROGRAM
2820 AUDUBON VILLAGE DR., PMB 353, NORRISTOWN, PA, 19403
www.checkprogram.com/montgomerycountypa