

## **HOW TO SUBMIT A WORTHLESS CHECK**

1. Deposit all checks timely with your banking institution, certainly no longer than 30 days. We cannot prosecute HOLD checks or checks that are part of an agreement to extend credit or loan or payment plan or checks that involve STOP payments or checks involved in a BANKRUPTCY. These checks must be pursued by a merchant through a civil court action. If you have one of these checks and you think you have been victim of intentional fraud, please contact the St. John the Baptist Parish Sheriff's office ([link here](#))
2. You will receive the worthless checks back from your bank, stamped by the bank to indicate the reason for non-payment: NSF, INSUFFICIENT FUNDS or ACCOUNT CLOSED.
3. Immediately contact the check writer by telephone to see if the individual or business entity will make good on the check. It may have been a simple mistake. Ask the signer of the check to come in immediate and make the check good. If the individual does not respond immediately, send the "10 day demand letter", by certified mail; required by law.
4. If they have not responded in 10 days, and certainly no later than 60 days, bring the check to the District Attorney's Office.
5. 5. Your criminal complaint must be 100% truthful and accurate as it will be in the basis for a Judge to sign a warrant for the check writer's arrest.
6. If you receive notice from a bankruptcy court that the worthless check writer has included your check in bankruptcy, you should respond directly to the bankruptcy court. The bankruptcy courts can exclude from bankruptcy any check that was involved in a criminal act. If the bankruptcy court does not exclude the check from the bankruptcy, then your efforts collect the check could result in sanctions against you, including having you pay for the check writer's attorney's fees. Also, if the check is not excluded from bankruptcy, the District Attorney may be limited in his ability to assist you. Bankruptcy does not prevent the District Attorney from pursuing a criminal conviction but it may limit your ability to collect restitution.
7. Once the District Attorney has accepted your check for prosecution, a criminal charge will be filed and a warrant will issued.