

## **GENERAL INFORMATION:**

Cashing a check is a privilege. Insist on proper identification.

These instructions are designed to assist you and the DeKalb County Prosecuting Attorney's Office in effectively handling bad checks. If you do not want the maker of the check prosecuted, you should NOT bring the check to this office, but consult your own attorney or private collection agency instead.

### **Procedure:**

For each check that has been returned by your bank:

1. Complete a Bad Check Complaint form
2. Attach or enclose the check with the completed form
3. Submit to both the form and check to the DeKalb County Prosecuting Attorney's Office.

Address: DeKalb County Prosecuting Attorney's Office  
109 W Main  
PO Box 248  
Maysville, MO 64469

In the event of conviction and if restitution has been ordered by the court, our office will send restitution payments to the victim upon payment by the offender. Should the defendant pay restitution prior to his/her court appearance, it will be collected by this office and sent directly to you. Once you have sent a check to this office, please do not accept payments on the check, but require the check writer to pay only through our office.

### **Requirements:**

Before you accept a check:

1. Get the driver's license number, including the state when the license was issued, and Date of Birth
2. Require the check to be written in your presence.
3. The check must be legible.
4. REQUIRE A CURRENT ADDRESS (and Phone Number, if possible)
5. Checks taken by employees should always be initialed.

### **Problem Cases:**

Absent unusual facts, we will not prosecute checks in the following situations:

1. If the person who accepted the check cannot identify the check writer.
2. If the check is past the statute of limitations.
3. If you have an agreement to take a partial payment on the check.
4. If you have an agreement to hold the check.
5. If the check was post-dated or not dated.
6. Two-party checks.
7. Out-of-state checks are risky.

**For questions, please contact:  
DeKalb County Prosecuting Attorney's Office  
(816) 449-2279**