

What To Look For When Accepting a Check

- Watch the person sign the check.
- Make sure the dollar amounts match.
- Check the date written on the check.
- It is important that you get as much identification as possible.
- At a minimum you **MUST** get the following:
 - *Name
 - *Complete Address (street, city, state)
 - *Phone Number
 - *ID: Driver's License number or Social Security number
 - *Date of Birth
- If possible, compare the signature on the check against any signature contained on the person's ID.

You must be aware that without proper, verified identification, we will not be able to prosecute the case in court.

In order to prosecute a bad check writer, the person who accepts the check must be able to identify the check writer.

This requires some measure of proof. Reasonable proof can be:

- The person who accepted the check has verified the check writer's identity using Photo ID (and wrote down DOB and ID number); **OR**
- The person who accepted the check personally knows the check writer.

~~~~~ Local District Courts

Greenfield District Court
43 Hope Street
Greenfield, MA 01301
413-774-5533

Orange District Court
1 Court Square
Orange, MA 01364
(978) 544-8277

Eastern Hampshire District Court
205 State St. (Route 202)
P.O. Box 1490
Belchertown, MA 01007
(413) 213-7666

Northampton District Court
15 Gothic Street
Northampton, MA 01060
(413) 584-7400



Self Help Guide for Accepting Checks and Handling Returned Checks

Office of the Northwestern
District Attorney David E. Sullivan

One Gleason Plaza
Northampton, MA, 01060
T: 413-586.9225

56 Bank Row
Greenfield, MA 01301
T: 413.774.3186

NorthwesternDA.org

WHAT TO DO IF YOU RECEIVE A RETURNED CHECK

- Victims of dishonored checks are required by Massachusetts state law to make at least one attempt to notify a check writer and to demand payment (see sample letter). **This must be done by certified mail with return receipt requested. The check writer must then be given fourteen (14) days to respond.**
- Keep a copy of the demand letter and return receipt. If the letter is returned as undeliverable, you should keep it and bring it with you when you apply for the criminal complaint.
- In the event the check writer contacts you by phone, you should give the same information as in the sample letter and keep notes about the conversation.

SAMPLE LETTER

(Company Letterhead)

Date

Check writer
Address
City, State Zip

Re: Notice of Dishonored Check

Dear Check writer:

You are hereby notified that a check number (*number*), issued by you on (*date of check*), drawn on (*name of bank*), and payable to (*your business*), has been dishonored. You have fourteen days from the date of this notice to tender payment of the full amount of the check plus a fee of \$ ____ to the undersigned at: (*business address*). You are further notified that in the event the above amount is not paid in full, you could be subject to legal proceedings, civil or criminal.

Sincerely,

Your name

NEXT STEPS

- After you have sent the demand letter notifying the check writer that his/her check has been dishonored wait to receive the returned receipt or the entire envelope back.
- If the check amount is **under** \$1200 (misdemeanor), bring the returned materials along with any other information you have for this check to your district court clerk's office and request an application for a criminal complaint (you will be asked to pay a \$15.00 filing fee).
- If the amount is **over** \$1200 (felony) either by a single check or multiple checks, bring the returned materials along with any other information you have for this check to your local police department and request they take out a criminal complaint.