

# YUMA COUNTY ATTORNEY'S OFFICE BAD CHECK PROGRAM

Provided by Jon R. Smith, Yuma County Attorney

---

The Bad Check Program is a service provided to all merchants and citizens of Yuma County free of charge.

Upon notice from a bank or other financial institution that a check has been dishonored, the merchant or citizen must follow these steps to ensure eligibility in the bad check program.

1. Provide the check writer notice that the check was dishonored. Notice may be (1) actual notice, (2) regular mail that is supported by an affidavit of mailing, or (3) notice in writing that is sent by certified mail, return receipt requested. The check writer has 12 calendar days upon notice (17 days if notice sent by mail) to pay the total amount due, including all reasonable costs. You may submit the dishonored check to the Bad Check Program at the conclusion of the 12 days if payment in full has not been received.
2. Complete the "Request for Bad Check Assistance" form (page 2) and attach the following items:
  - A) A copy of the dishonored check or bank certified copy of the dishonored check.
  - B) A copy of the "Notice of Dishonored Check" form (page 3) that was sent to the check writer.
  - C) A copy of the "Affidavit of Mailing" form (page 4) or the certified mail receipt.
  - D) Attach any other documents or logs relevant to the bad check.

Keep original receipts such as copies of bank notices or other documents that memorialize your experience as a result of your acceptance of the dishonored check.

## General Guidelines

- The merchant or individual must refuse payment after the check has been accepted into the Bad Check Program, and refer the check writer to the Bad Check Program Coordinator.
- Collection costs in excess of \$25.00 must be accompanied by a written explanation of the requested costs.
- Identifying the check writer is essential. Proper forms of identification include a Driver's License, an Arizona Identification Card, a Military Identification Card, or a valid Bank Card. If possible, the check writer's date of birth should also be taken. The person accepting the check should do a photo comparison with the subject passing the check.

The following checks will not be accepted into the Program:

- A) Two-party checks; and
- B) Checks not presented to the bank for payment within 30 days of the date written on the face of the check.

Funds collected through the program on your behalf will be sent to you by the Yuma County Treasurer.

Due to the number of cases we handle, we will not contact you unless there is something needed in order to further pursue prosecution and restitution. You may call the Bad Check Program Coordinator at any time for an update on the progress of your case, or if you have any questions at (928) 817-4300.

**REQUEST FOR BAD CHECK ASSISTANCE**

MAIL REQUEST TO: Yuma County Attorney's Office  
Attn: Bad Check Program  
250 W. Second Street, Suite G  
Yuma, Arizona 85364

For questions contact:  
(928) 817-4300

**VICTIM INFORMATION (Individual or Business Owner):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Alternative Telephone Number: \_\_\_\_\_

Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

**INDIVIDUAL WHO ACCEPTED THE CHECK:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Alternative Telephone Number: \_\_\_\_\_

Can he/she identify the Check Writer? Yes  No

Have any attempts been made to contact the check writer? Yes  No

If yes, please describe dates and type of contact made and describe any response: \_\_\_\_\_

List the type and number of the identification accepted: Type: \_\_\_\_\_ No.: \_\_\_\_\_

In addition, I am requesting \$\_\_\_\_\_ for reasonable costs of processing this check for collection.

I have attached the dishonored check, copy of the Notice of Dishonored Check, and the Affidavit of Service or certified mail receipt. (Attach any documents you believe are relevant.)

I agree to (1) Make myself and the person who accepted the check available for Court if necessary; and (2) Not solicit or accept payment(s) from the check writer without prior authorization from the Yuma County Attorney's Bad Check Program Coordinator.

\_\_\_\_\_  
Signature of Requestor

\_\_\_\_\_  
Date

**NOTICE OF DISHONORED CHECK**

Date: \_\_\_\_\_

Name of Check Writer: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

You are, according to law, hereby notified that a check or instrument numbered \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_, drawn on \_\_\_\_\_ (bank or other drawee) in the amount of \$ \_\_\_\_\_, and payable to \_\_\_\_\_ has been dishonored.

Pursuant to Arizona law, you have twelve (12) days from the receipt of this notice to pay or tender to \_\_\_\_\_ (holder) the full amount of the check or instrument, together with all reasonable costs and protest fees of \$ \_\_\_\_\_, the total amount due being \$ \_\_\_\_\_.

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

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

