

REQUEST FOR PROSECUTION INSUFFICIENT / NO FUNDS CHECKS

BAD CHECK PROGRAM INFORMATION

1. Only Checks stamped INSUFFICIENT FUNDS or ACCOUNT CLOSED will be accepted for prosecution. Post-dated checks, or checks which you agree to hold will not be accepted or prosecuted.
2. The statutory fee of \$10.00 per check must be paid to the Seward County Treasurer.
3. The original check must be attached to the Request form.
4. Checks in the amount of \$500.00 or more are felony level checks unless they were received:
 - a. In payment of a charge account
 - b. In payment of an open account
 - c. In partial payment of an account
 - D. For past due rent

If checks are received in any of the above situations, they may only be prosecuted as misdemeanors, regardless of the amount.

5. This office CANNOT guarantee restitution when a defendant is convicted. Once a defendant pleads guilty to a bad check charge, the Court makes the decision as to punishment. The Court may order the defendant to make restitution, but the law does not require this. This office cannot pursue restitution if the Court does not make it a part of the sentence. The check(s) will be returned to you for action in a civil case, if you so choose.
6. This office WILL NOT pursue prosecution if any of the following has occurred.
 - a. No identification is taken
 - b. The name of the person taking the check is not named on the form
7. Once your request is filled out and turned over to Diversion Services DO NOT accept direct payments from the check writer. Should the check writer contact you to make payment, refer them to Diversion Services.
8. If the check writer does not comply with the Program, the case may be reviewed for possible criminal prosecution.
9. If we are unable to recover restitution and/or the check is not "eligible" for prosecution, you may request the check(s) be returned to pursue a civil remedy.

INSTRUCTIONS: This form may be the basis for an Arrest and Criminal Prosecution. Please PRINT or TYPE all requested information.

1. Was check post-dated at time of acceptance? Yes No 5. Does the check involve an extension of credit? Yes No
2. Was check received as payment on an account? Yes No 6. Was this check received in Seward County? Yes No
3. Does this matter involve a two-party check? Yes No
4. Were you asked to hold or delay depositing the check? Yes No

VICTIM/MERCHANT NAME: _____

Name of person/bookkeeper receiving bad check cases from bank: _____

Business address: _____

Business phone: _____

CHECK WRITER'S NAME: _____

Phone number (if known): _____ Date of Birth: _____

Driver's License No: _____ D.L. Expiration date: _____

EMPLOYEE/WITNESS who accepted check: _____

Can employee identify the check writer? Yes No

Have you taken checks from this person in the past? Yes No

How did you obtain check writer's identification? Driver's License Checkmate
 Police Report Other _____

FIRST CHECK

REASON CHECK WAS DISHONORED: Non sufficient funds Closed account
 No Account Other _____

Ck No: _____ Date passed: _____ Amount: \$ _____

Was photo ID verified? Yes No

Can the person who accepted this check positively identify the check writer? Yes No

SECOND CHECK

REASON CHECK WAS DISHONORED: Non sufficient funds Closed account
 No Account Other _____

Ck No: _____ Date passed: _____ Amount: \$ _____

Was photo ID verified? Yes No

Can the person who accepted this check positively identify the check writer? Yes No

THIRD CHECK

REASON CHECK WAS DISHONORED: Non sufficient funds Closed account
 No Account Other _____

Ck No: _____ Date passed: _____ Amount: \$ _____

Was photo ID verified? Yes No

Can the person who accepted this check positively identify the check writer? Yes No

Please list any additional checks on another form and attach.

****Attach all original checks to this form***

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS STATEMENT IS COMPLETE AND TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Signature of Business Representative

Date

Office use only

Date fee paid _____

Date received _____

Receipt Number _____

Initials _____