



## ***Los Angeles County District Attorney Bad Check Restitution Program***

### ***What is the Los Angeles County District Attorney Bad Check Restitution Program?***

The Los Angeles County District Attorney organized the Bad Check Restitution Program to help business people recover revenue lost to bad checks and discourage bad check offenders from repeating their offense. Assistance is provided free of cost and complaints are easy to file. Bad check offenders reported to the Program must pay restitution and attend a mandatory eight-hour intervention class. Those who fail to fully comply with all requirements of the Program risk having their case reviewed for a possible criminal filing. Moreover, while the Program is free for merchants, it is not free for the offenders who are required to pay statutory fees to participate in the diversion program. ***All this is accomplished without cost to County taxpayers or businesses!***

### ***How does the Bad Check Restitution Program work?***

The merchant must mail the check attached to a Bad Check Complaint Form to the Program. The District Attorney will seek full restitution for the merchant if possible, which is 100% of the face value of the check plus applicable returned item bank fees. The primary goal of the Program is to obtain restitution for the merchant and secondly, to deter bad check offenders from future offenses.

### ***What must I do to file a complaint on a bad check?***

1. Notify the check writer and extend a ten-day grace period to make the check good.
2. Obtain a Bad Check Complaint Form from the Police or Sheriff. Forms are also available at chamber offices, can be downloaded from the Internet or can be mailed to you by calling the Victim Hotline.
3. Determine if the check is eligible by calling the Victim Hotline. The check should be reported within 120 days of the transaction.
4. If eligible, mail the check and Complaint Form to the Program.
5. If restitution is recovered, you will receive a restitution check from the District Attorney's Program; if not, the check writer's case will be reviewed for prosecution. Case status can be obtained by calling the Victim Hotline.

### ***What type of check is eligible for the Program?***

1. The check was presumed good at the time of acceptance and received in exchange for goods or services.
2. The check was processed by a bank at least one time and returned stamped:
  - a. NSF checks (non-sufficient funds)
  - b. Account-Closed
  - c. Refer to Maker or Unable to locate
  - d. Stop Payment checks that do not involve a performance dispute.
3. The check was passed within the jurisdiction of Los Angeles County. (Checks mailed to L.A. County are also eligible.)
4. The check was issued from a California bank account.
5. The check has a valid California Drivers' License or I.D. recorded on the front side.
6. Checks for any amount: no minimum or maximum filing restrictions based on check amount.

### ***Are there checks that cannot be reported to the District Attorney's Program?***

1. Stolen, counterfeit and forged checks are not eligible (report to local law enforcement).
2. Checks that have exceeded the Program's time limit for filing.
3. Checks issued from an out-of-state bank account.
4. Checks determined by the Program to be civil in nature, and therefore, ineligible.

***For additional information on the Bad Check Restitution Program, contact the following:***

***Victim Hotline: 1-800-842-0733***

***<http://da.co.la.ca.us/badcheck.htm>***