

When you go to the District Clerk's Office to obtain a warrant, you will also be required to fill out an affidavit with information on the person who wrote the check and on the person who accepted the check. Once the information has been confirmed by you, the warrant magistrate will issue a warrant for the arrest of the worthless check writer. When you sign a warrant, you can request restitution for your loss plus a merchant fee.

In order to speed up the process, you need to obtain a warrant within 60 days from the date of the check. By law, you have up to one year. After that, you cannot obtain a warrant.

The Worthless Check Unit

is located in the

Montgomery County Courthouse
Annex II Building
125 Washington Avenue
P.O. Box 1667
Montgomery, AL 36102-1667
Phone: (334) 832-1630
Office Hours: 8:00 am until 5:00 pm
Monday through Friday

The District Clerk's Office

*is located on the first floor
in the main courthouse*

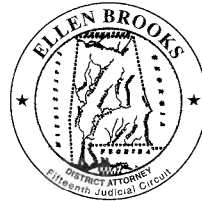
251 South Lawrence Street
Montgomery, AL 36104
Phone: (334) 832-1345
Office Hours: 8:00 am until 5:00 pm
Monday through Friday

Offices of
Ellen Brooks



**District Attorney
Fifteenth Judicial Circuit of Alabama**

Montgomery County Courthouse
251 South Lawrence Street
P.O. Box 1667
Montgomery, AL 36102-1667
Phone: (334) 832-2550



Area Code (334)

- Child Support 832-1621
- Drug Court 832-2550
- Investigations 832-2550
- Juvenile (Ext. 2) 261-4100
- Pre-Trial Diversion 832-2503
- Restitution 832-2545
- Trials 832-2550
- Victim Services 832-2550
- Violence Against Women 832-1675
- Worthless Checks 832-1630

**District Attorney's
Worthless
Check
Unit**



**Montgomery County Courthouse
Annex II Building**

125 Washington Avenue
P.O. Box 1667
Montgomery, AL 36102-1667

(334) 832-1630

The Montgomery County District Attorney's Worthless Check Unit was formed in 1985 to collect restitution for victims of worthless checks. The unit assists businesses and individuals who receive **insufficient funds** and **account closed** checks. The Worthless Check Unit is a self-funded service of the District Attorney's Office. There is no charge to victims to use our service. When the bad check writer fails to pay through our office, we assist with the prosecution.

If you are the victim of a worthless check, and you want the assistance of the District Attorney's Office, certain guidelines must be followed for a warrant to be issued. Please refer to "Guidelines for Obtaining a Warrant."

When an **insufficient funds** check is received, you must first send the check writer a notice by certified mail, return receipt requested and allow ten days from receipt of letter for payment. A sample letter "Notice to the Maker" is available from our office. Where the check was written on **account closed**, notice may be sent, but is not required.

The certified notice letter must be sent to the person who signed the check. It is necessary to use the address exactly like it is on the check.

Questions and Answers

Who is eligible to use this service?

Any person who has received a worthless check while transacting business in Montgomery County is eligible.

What is the cost of this service?

There is no cost to victim.

Will the Worthless Check Unit accept all checks returned by the bank?

The Worthless Check Unit will only accept checks that a stamped "insufficient funds" or "account closed."

Can a warrant be issued on checks where I have received partial payment?

Once you accept partial payment, the law prevents criminal prosecution. In addition, you will have to pay a **\$30** warrant withdrawal fee.

How long will it take for me to receive restitution after the worthless check writer pays?

When the worthless check writer pays, your money will

be sent to you by the tenth day of the following month.

How can I find out about the status of the worthless check?

If you have not heard anything after six weeks, call the Worthless Check Unit at (334) 832-1630.

What happens if the worthless check writer fails to pay restitution?

If the worthless check writer does not respond to the Worthless Check Unit, the warrant will be served, and the worthless check writer will be arrested. You as well as the employee who accepted the check may be required to appear in court. If so, you will receive notice by subpoena.

When should I expect restitution payment if the worthless check writer is arrested?

At this point, all restitution will be collected and dispersed through the District Clerk's Office. You will need to call **(334) 832-1345** to determine the status of restitution.

YOU CAN HELP



BAD CHECKS!

- **OBTAIN** the person's name, address, home and work telephone numbers, and some form of positive identification such as a Driver's License.
- **RECORD** all of this information on the check or the number of a check cashing identification card that has

been issued to the person.

- **WITNESS** the signature of the person presenting the check.
- **PRINT** your name on the check.