

## **ACCOUNT CLOSED**

If you received a returned check from your bank stating that the account is closed, please bring a copy of the returned check to your local police department.

## **INSUFFICIENT FUNDS**

If you received a returned check from your bank stating that the account has insufficient funds, please follow the below instructions:

1. Fill out the below 10-day Letter
  - a. **Important:** Make a copy of the letter for yourself
2. Make a copy of the returned check
  - a. **Important:** Keep the original from the bank for yourself
3. Mail the completed 10-day Letter and the copy of the returned check to the person who wrote the check. ***You must mail this by Certified Mail.***

After mailing the above via Certified Mail, you have not received payment within 10 days, and the Certified Mail green card was signed & returned to you, then bring the following to the County Attorney's Office:

1. Copy of the green signature card
2. Copy of the 10-day letter that you mailed
3. Copy of the returned check from the bank that you mailed
4. Completed below form – Insufficient Funds Information

If the entire envelope comes back to you (for whatever reason), then bring the entire envelope to the County Attorney's Office. You must also bring the completed Insufficient Funds Information (see below).

### **IMPORTANT NOTES:**

1. If you accept any 'payments' towards the bad check, the County Attorney's Office cannot help you. You will have to continue seeking payment from the Defendant.
2. When the County Attorney's Office files bad check charges, the charge will only indicate the value of the check. However, at the end of the court case, the County Attorney's Office can help you obtain any bank fees you acquired when asking the Court for your final restitution amount. Our Victim Witness Coordinator will touch base with you if needed.

## TEN DAY NOTICE LETTER

TO: \_\_\_\_\_  
(name of person who wrote check)

You are hereby notified that the below described check has been returned marked INSUFFICIENT FUNDS:

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Account Name

Check No.

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Bank Name

Date of Check

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Payee

Amount of Check

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Check Signed By

Demand is hereby made for payment in full within ten (10) days of receipt of this notice.

The law provides in Section 714.1(6), Code of Iowa, that a person commits theft if that person makes, utters, draws or delivers or gives a check knowing that said check will not be paid when presented. The law further provides:

Whenever the drawee of such instrument has refused payment because of insufficient funds, and the maker has not paid the holder of the instrument the amount due thereon within 10 days of the maker's receipt of notice from the holder that payment has been refused by the drawee, the court or jury may infer from such a fact that the maker knew that the instrument would not be paid on presentation. Notice of refusal of payment shall be by certified mail, or by personal service in the manner prescribed for serving original notices.

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Signature of person sending Notice

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Business name

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Business address

# INSUFFICIENT FUNDS INFORMATION

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

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

Phone: \_\_\_\_\_

Your Business Name: \_\_\_\_\_

Defendant's Name (who write the check): \_\_\_\_\_

Employee's name who took the check from the Defendant: \_\_\_\_\_

Employee's name who sent the 10-day letter via Certified Mail: \_\_\_\_\_