

The following document explains how to file a “worthless check” complaint with our office. Please read the instructions carefully. The Affidavit of Criminal Complaint may be filled out using Adobe Acrobat Reader and printed. Before you contact our office with a worthless check complaint you must send the “10 Day Demand Letter” and complete the “Affidavit of Criminal Complaint”:

- [☐Checks Package](#)
- [☐Sample 10 Day Demand Letter](#)
- [☐Affidavit of Criminal Complaint](#)

FOR MERCHANTS

Please obtain a Checks Package from the Check Department (or download the file above).

1. You will need to provide the department with the original check that has been returned from the bank and has the proper bank processing stamps: NSF/ACCOUNT CLOSED/INSUFFICIENT FUNDS
2. The check must have been accepted by you or your employee at a location in the Parish of Iberville Parish, West Baton Rouge Parish, or Pointe Coupee Parish.
3. You must provide us with the name and address and telephone number of your employee who actually received the check and who must be willing to testify to those facts at trial. Checks received by mail cannot generally be prosecuted.
4. The check must have been exchanged for goods and services actually provided by you to the check writer.
5. Your employee must have collected proof of the check writer’s identification at the time of acceptance of the check, such as driver’s license information (a contemporaneous copy is preferred), birth date, and social security number.
6. You must provide the District Attorney’s Office with a copy of the legally required “10 Day Demand Letter” mailed to the address on the check as well as the original certified mail return receipt.
7. Our Worthless Check Unit will not accept a check for prosecution if you have entered into any agreements with the check writer concerning payment of the check, loan of the check amount or other financial transactions.
8. Checks that will not be accepted by our Worthless Checks Unit include those issued as part of a loan agreement, those that have been pre- or post-dated, those involving transactions for other than goods and services, and those which have been “stopped” due to a disagreement between the merchant and the check writer about the quality of goods and services provided.
9. Checks issued by a company or an individual in bankruptcy may require additional information before prosecution can proceed.

10. Checks that are not accepted by our check department may still be prosecuted by other sections of the District Attorney's office when sufficient proof of a criminal act exists.

FOR CHECK WRITERS

Intentionally writing one "worthless" check can constitute a crime punishable by imprisonment at hard labor. It is in your best interest to quickly resolve any payment issues you have with a merchant about a check you have written. Understand that once the Office of the District Attorney has received a worthless check for prosecution, in addition to the full amount of restitution due the merchant, you will also be required to pay the fines, fees, and court costs which accrue.

NOTE: Any payments made to the District Attorney's Office, including those for worthless checks, must be made in the form of a money order. Our office cannot accept cash or personal checks.