

WHAT IS THE WORTHLESS CHECK PROGRAM?

The Solicitor's Worthless Check Unit collects monies on bad checks and distributes restitution to the victims. The program transfers the collection process from the victim to the Solicitor's Office, eliminating the victim's work and costs associated with collections. The traditional prosecution of worthless checks is still the law. Participation by a victim in the Worthless Check Program is optional and **FREE**.

The Worthless Check Program is self-sustaining under the control and supervision of Solicitor Hubbard's Office and is supported through cooperation of the judiciary, law enforcement, and County Council. Operational costs are recovered from the offender, not the victim.

The victim receives the full amount of the bad check plus \$30.00 upon Solicitor Hubbard's Worthless Check Unit collecting the restitution and all legally applicable fees.

S.C. code §17-22-710 authorizes the Solicitor to operation a Worthless Check Program.

PAYMENTS TO VICTIMS

You are entitled to receive the full face value of a worthless check plus the statutorily approved service charge, which is currently \$30.00.

Once we obtain your full restitution and all legally applicable fees, a check for the restitution plus the \$30.00 service charge will be sent to you.
(If you have a change of address, remember to notify Solicitor Hubbard's office.)

For example: If you received a \$10.00 worthless check, upon payment in full, you would receive a restitution check for \$40.00. Again, this service is **FREE**.

PROSECUTION PROCEDURE

When the Worthless Check Unit receives a bad check complaint, and if restitution is not made in accordance with legal requirements, a criminal charge will be filed. The Solicitor's Office has full statutory discretion concerning the prosecution of your worthless check complaint.

Caution: Once you submit a worthless check to the Solicitor's Check Unit, **DO NOT ACCEPT PAYMENT IN ANY FORM FROM THE CHECK WRITER.** This may void collection and prosecution efforts. All contacts with the check writer concerning the worthless check must be made through the Solicitor's Worthless Check Unit.

DISCOURAGE WORTHLESS CHECKS

The Solicitor's Check Unit offers color 3" x 5" and 8" x 11" signs for you to post at your business to help discourage people from writing you a worthless check. Of course, you **always** have control over which bad checks are submitted to us.

PROGRAM GUIDELINES

To criminally prosecute a bad check:

- it must be deposited within 10 days
- it cannot be postdated
- there was no agreement to hold it
- a certified letter must be sent to the address on the check
- a warrant must be obtained within 180 days from the date it was received.

To participate in the Program:

- you decide which checks to submit
- checks must be received in Edgefield, Lexington, McCormick or Saluda County
- a Worthless Check Unit worksheet must be completed.

The Solicitor's Check Unit FREE services:

- use the resources of the Solicitor's Office to collect bad checks
- send letters, including the Certified Letter
- collect all monies
- upon payment in full, issue a check to the victim for the full amount of the check plus the \$30 service charge
- if the check is not paid
 - provide a victim warrant verification form to verify the facts of the check and authorize the warrant process
 - a Solicitor's Office Investigator signs the warrant for the check
 - prosecute the check writer to the fullest extent of the law.



**Rick Hubbard
Solicitor**

SOLICITOR'S OFFICE WORTHLESS CHECK UNIT

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Mailing Address

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Lexington, South Carolina 29071

A FREE service for Victims of Worthless Checks

SOLICITOR'S OFFICE WORTHLESS CHECK UNIT



*Edgefield, Lexington,
McCormick and Saluda
Counties*

The Solicitor's Worthless Check Unit was established in 2003 to collect and prosecute bad checks. This is a FREE service to victims who receive worthless checks. The program eases the burden of collecting bad checks by having the Solicitor's Check Unit do all the work.

Theft with a pen is more subtle than theft with a weapon, but it is still theft—and it is your loss. Now is the time to call a halt to worthless check fraud!

**Rick Hubbard
Solicitor
11th Judicial Circuit**