

Columbus City Attorney's Office Check Resolution Program

Prepared by the Columbus City Attorney's Office
Prosecutor Division
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The Check Resolution Program assists in the process recovery of money lost to merchants due to the passing of bad checks. Dishonored checks result in higher prices for consumers and a larger docket for the Franklin County Municipal Court.

As a first step, the program uses hearing between the check writer and the merchant. In most cases, the check writer is able to pay the full amount of the previously dishonored check prior to the filing of criminal charges, saving taxpayers and the court system time and money.

▶ WHAT CASES ARE ELIGIBLE?

Case heard through the Check Resolution Program must meet the following criteria:

- ▶ Check was passed in Franklin County.
- ▶ Check was drawn on a bank in Franklin Co. or a contiguous county.
- ▶ Check was returned for insufficient funds or closed account.
- ▶ Check(s) were written for goods and/or services.

▶ STATISTICS OF SUCCESS (2004)

Money recovered in dishonored checks: \$1 million

Total checks processed: 21,104

Total hearings: 35,401

▶ WHERE IS THE PROGRAM LOCATED?

The City Attorney's Prosecutor Division is located downtown in the Franklin County Municipal Court Building at 375 South High Street, 7th Floor.

**For more information or to schedule an appointment,
contact the Columbus City Attorney's Prosecutor Division at
(614)645-8840 or online at www.columbuscityattorney.org**

▶ STEP 1: NOTIFICATION OF WRITER

Upon notice that a check has been returned, immediate action should be taken by the merchant prior to contacting the court.

The merchant should send out a letter of dishonor to the check writer by certified mail. It's important to inform the writer of the bad check that immediate resolution is requested. In the letter, include the following information:

- ▶ Date the check was written
- ▶ Check number
- ▶ Amount of the check
- ▶ Bank account number
- ▶ Reason the check was not honored
- ▶ Any business return service fees
- ▶ Demand for immediate payment

▶ STEP 2: SCHEDULING HEARING

Businesses that participate in the Check Resolution Program must submit a Check Certification Form to the Clerk of Courts Office located on the 2nd floor of 375 S. High St.

Businesses must also pay a filing fee of \$4.50 for each dishonored check. This fee is passed on to the check writer and included in the amount owed to resolve the matter.

▶ STEP 3: HEARING PROCESS

After the Case Certification Submission is complete, hearing will be scheduled within three weeks. A letter is mailed to each check writer informing him/her of the Passing Bad Check complaints, the hearing time and date, the amount of the check, the filing fee, and business service fee.

The business representative should arrive on time for the hearing, bringing cash to make change if the check writer is willing to pay, related receipts, and updated statistics. The merchant's primary function at hearing is to either accept payment for the check or to make arrangements for future payments.

▶ STEP 4: CRIMINAL PROSECUTION

There are situations in which hearings may not result in payment by the check writer, including:

- ▶ Hearing notice was returned and check writer cannot be notified.
- ▶ Check writer fails to appear for hearing.
- ▶ Check writer appears for hearing but refuses to make payment.
- ▶ Check writer appears for hearing and agrees to pay by a specific date, but does not make timely payment on agreed date

When any of these situations happen, the merchant will be allowed to file a criminal complaint against the check writer.