



## WORTHLESS CHECKS UNIT

4700 West Midway Road  
Fort Pierce, Florida 34981  
(772) 462-3310

Office hours are Monday through Friday from 8:00 A.M. to 5:00 P.M.

### Worthless Checks Prosecution Requirements

1. The check must have been received within St. Lucie County.
2. When the check was accepted, there cannot have been any agreement to hold the check for any length of time, nor can it have been postdated. It must be accepted as if it were cash.
3. The check must be clearly marked by the financial institution as *NSF* (insufficient funds), *Account Closed*, or *No Account*.
4. The person who accepted the check must be able to appear in court and testify as to the positive identity of the person who wrote the check and presented it to them as payment. **The law is very specific on how you can prove the identity of the check writer.** The following identifying information must be provided whenever a person presents a check for payment:

Driver license number or state photo identification number and the state of issuance.

Or

Full name, address, home phone number, business phone number, place of employment, sex, date of birth, and height.

The information or a previously issued check cashing identification card number can be written on the presented check.

5. A [Letter of Notice](#) must be completed by you and mailed to the person presenting the check. This notice must be sent by certified mail with return receipt requested. Please make of a copy of the letter prior to mailing it and retain it for your records. The return receipt or the original letter must be returned to you to provide proof of the mailing.

- 6. The dollar amount of the check accepted must reflect payment in full. No agreement for partial payment is acceptable. If another check is accepted from the individual as payment for the worthless check and that check also proves to be worthless, prosecution will be declined on both checks.

If you wish to prosecute after you have sent notice and still have not received payment, complete the [Offense Incident/Worthless Check Affidavit](#). The form must be signed in the presence of a notary.

- 7. Bring the following documents to the St. Lucie County Sheriff's Office:

- The original check;
- A copy of the Letter of Notice;
- Either the return receipt or the original certified mailing that was returned to you; and
- The original Offense Incident/Worthless Check Affidavit.

- 8. If you have any questions regarding these procedures, please contact us at either of the phone numbers provided above.

**Allowable Service Charges for Worthless Checks**

The service charges listed below are the allowable amounts, per Florida State Statute, for you to collect per worthless check. They are intended to cover your overdraft charges, if any.

<u>Check Amounts</u>	<u>Service Charges</u>
\$ 1.00 to \$ 50.00	\$ 25.00
\$ 50.01 to \$ 300.00	\$ 30.00
Checks over \$ 300.00	\$ 40.00 OR 5%, whichever is greater