



Steps in the Process

Bad Check

Step 1: Present the check to your Bank

Before the Economic Crimes Unit (ECU) considers a check for prosecution, the check must be deposited with your bank, even if you suspect the check will not clear.

Step 2: Send the 5-Day Notice letter

Once the check returns as dishonored, you must use the notice form provided by the ECU and send the bad check writer a 5-day notice.

Step 3: Submitting Documents to the ECU

If the bad check writer does not respond within 10 days, completely fill out the complaint form provided by the ECU, attach photocopies of the dishonored check and notice letter sent, then email or mail all documents to the ECU. You can also fill out the complaint online!

Key Terms

- **Bad Check:** a check that is not honored when presented at the bank. The bank may indicate that the check was dishonored due to "insufficient funds", "closed" or some other reason.
- **5-day notice:** a formal letter that lists the appropriate Michigan statute governing checks and instructs the bad check writer to make immediate payment or face prosecution.
- **Complaint:** the form that begins the formal criminal proceeding, it contains sections for relevant information about your business, the bad check writer and the bad check.

Checks that are **not** accepted:

- Checks that are not passed in Lenawee County.
- The identity of the check writer is unknown.
- Checks that are pre-dated.
- Checks that are post-dated or where an agreement was made to hold the check for later payment. (Merchants beware: if you accept post-dated checks you do so at your own risk. The check's message is: "There isn't enough money in the account to cover the check today!")
- Checks that are altered or suspected of being forgeries or counterfeit.
- Two-party checks.
- Payroll checks.
- Stop-payment checks. (There are some exceptions; please call the ECU to review circumstances)
- No amount, date, or signature on the check.
- Numeric and written amount on the check do not match.
- Checks that are over 180 days old.

NOTE:

Checks that are ineligible for the Lenawee County Bad Check Program may still be eligible for collection by the Merchant via small claims court or by a private collection agency.