

**TWELFTH JUDICIAL CIRCUIT
SOLICITOR'S OFFICE
WORTHLESS CHECK UNIT**

147 N. Irby St
(Mailing Address :)
P.O. Box 1569
Florence, South Carolina 29503
(843) 292-1586
(843) 292-1588



SOLICITOR'S OFFICE
Worthless Check Unit

The Worthless Check Program was established to assist merchants and citizens in the collection and prosecution of worthless checks. Millions of dollars are lost every year by merchants as a result of worthless checks. These losses are invariably passed on to the consumers of Florence County through higher prices.

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

***What is the
Worthless Check Program?***

The Worthless Check Unit operates a diversion program within the Office of Solicitor to provide for the collection and distribution of restitution to the victims of worthless checks. The Program provides for the expeditious collection of restitution while transferring the collection process from the victim to the Office of Solicitor. The traditional prosecution of worthless checks is still the law. Participation by a victim in the Worthless Check Program is ***optional***.

The Worthless Check Program is self-sustaining under the control and supervision of the Circuit Solicitor's Office and is supported through cooperation of judicial, law enforcement, and community service agencies.

The establishment of a Worthless Check Unit within the Office of Solicitor has been authorized by the Legislature in R.127, H.3749, Proviso 33.6 of 2004 and is in partnership with the county governing body.

Collection Procedure

When you receive a worthless check and it meets the legal requirements, you can submit the check and the complaint form to the Office of Solicitor for collection. This relieves you of the burden of the traditional collection and prosecution process.

The Solicitor's Worthless Check Unit will contact the check writer and collect and disburse restitution to the victim. If restitution is not made pursuant to the requirements of the program, the check writer will be prosecuted to the fullest extent of the law.

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

Prosecution Procedure

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

Before Accepting A Check

- Make sure the check is signed in your presence
- Make sure the date and the amount are correct
- Request a drivers' license/ID and record the number and the issuing state
- Compare drivers' license/ID address and address on check
- Request date of birth
- Request and verify a physical address if check denotes PO Box
- Request a place of employment and a telephone number

Program Requirements

Checks **qualify** if:

- Given for labor (payroll checks) or personal services
- Given in payment of
 - Merchandise
 - Cash
 - Services
- All checks must be deposited within 10 days of receipt.
- Returned by the bank because of
 - Insufficient funds
 - Account closed
 - Stop payment

Note: Checks should be submitted to the Worthless Check Unit for collection with the completed complaint forms within **forty-five (45) days** of the date the check was presented to you.

Checks **do not qualify** if:

- Post dated check
- Agreement to hold check at the time of the transaction
- Victim had reason to believe check was no good upon receipt
- Forgery
 - Stolen checks
 - Fictitious account
 - Signature irregular

Checks that do not qualify under this program may be in violation of another law (i.e. forgery) and will be prosecuted pursuant to the appropriate statute.

Payments To Victims

When full restitution for a worthless check is made, the payment will be sent directly to you at the address specified on the complaint form. If you have a change of address, please remember to notify our office. You are entitled to receive the full face value of the worthless check and any statutorily approved service charges as a result of the worthless check. While by law you cannot accept partial payment on a check and still present this check to the Office of Solicitor, the program can accept partial payments. Restitution will be disbursed on a weekly basis.