

Bad Check Prosecution – Eligibility

A check may be *eligible* for prosecution by the Nodaway County Prosecutor's Office if. . .

- The check was delivered to you in Nodaway County (and not sent through the mail).
- It was deposited in a bank or financial institution in exchange for goods and services.
- It was presumed “good” at the time of acceptance.
- The check was not honored because of insufficient funds or no account.
- A statutory certified notice was sent to the check writer, giving ten (10) days to satisfy the check.
- Actual notice was received by the check writer, proven either by having signed a certified notice from the Post Office, **or** having been served with the notice by a law enforcement officer.
- Identification information was recorded at the time of transaction (driver's license, social security, military I.D. or state identification card number).

A check is *not eligible* if...

- It is postdated.
- Both parties knew there were insufficient funds at the time of transaction.
- The identity of the check writer is unknown.
- The identity of the person receiving the check is unknown.
- The check is not imprinted.
- The check is missing the amount, date or signature.
- The check has not been processed by a bank or financial institution.

Checks not eligible for prosecution by the Nodaway County Prosecuting Attorney may be pursued in Small Claims Court (660-582-2531), by a private collection agency or through a private attorney.