

## Program Guidelines

To criminally prosecute a bad check, South Carolina law states a check must be deposited within 10 days of receipt, the check cannot be post-dated, the vendor did not have an agreement to hold the check and a warrant must be obtained within 180 days from the date the check was received.

To participate in the Worthless Check Program:

- Victim submits check for collection
- Checks must be received in York County
- Submit a completed Worthless Check Worksheet

The Solicitor's Check Unit will handle all legal requirements of collection on a worthless check for the victim. The Check Unit performs the following services for the victim, free of charge:

- Mails all correspondence
- Collects restitution, services fees and all other fines and assessments
- Disburses restitution and service fees to the victims

If restitution is not made pursuant to the requirements of the program, the Check Unit will:

- Prepare an arrest warrant
- Notify the victim when the warrant is ready for signature
- Prosecute the check writer to the fullest extent of the law

## 16<sup>th</sup> Circuit Solicitor's Office Worthless Check Unit

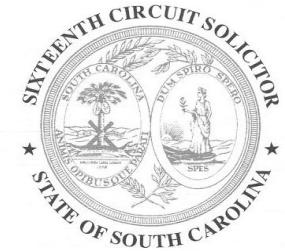


**Kevin S. Brackett, Solicitor**

### **Contact Information:**

Maria Cabrera, Coordinator  
16<sup>th</sup> Circuit Solicitor's Office  
1675-1A York Highway  
York, SC 29745  
803-818-5804  
maria.cabrera@yorkcountygov.com

**\*\*A Free Service for Victims of  
Worthless Checks in York County!\*\***



KEVIN S. BRACKETT  
SOLICITOR

## York County Solicitor's Office Worthless Check Unit

The Solicitor's Office Worthless Check Unit was created to reduce the burden on victims who have received worthless checks. Our goal is to help the businesses of York County recoup their losses and to reduce the occurrence of worthless check fraud by prosecuting offenders who write bad checks.

**803-818-5804**

# York County Worthless Check Program

## What is the Worthless Check Program?

The Solicitor's Worthless Check Unit collects monies on bad checks and distributes restitution to the victims. The program transfers the collection process from the victim to the Solicitor's Office, eliminating the victim's work and cost associated with collections. The traditional prosecution of worthless checks is still the law. Participation in the program is FREE and optional to all businesses in York County.

The Worthless Check Program is self-supporting under the control and supervision of Solicitor Kevin S. Brackett. The unit operates with the cooperation of our local judges and law enforcement officials. Operational Costs are recovered from the offender NOT the victim.

Upon full collection of a worthless check, Solicitor Brackett's office will send a check to the victim for the full amount of the check plus all legally approved service charges.

## How Does the Program Work?

### Payment to Victims:

Businesses are entitled to receive the full face value of a worthless check plus the statutorily approved service charges, which is currently \$30. When full restitution for a worthless check is made, a check for the restitution and service fee will be sent directly to the victim. For example, if a check is received in the amount of **\$10**, the Solicitor's Check Unit will send the victim a check in the amount of **\$40** upon collection of the worthless check. Again, this is a **Free** service to the businesses of York County.

### Prosecution Procedure:

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



Writing a bad check is against the law in the State of South Carolina.

**Caution:** Once a worthless check is submitted to the Check Unit, the business **must not accept payment in any form from the check writer.** This may void collection and prosecution efforts. All contacts with the check writer concerning the worthless check must be made through our Unit.

### Discourage Worthless Checks:

The Solicitor's Check Unit offers 3 x 4 cards and 8 1/2 x 11 signs for businesses to post in prominent locations to help discourage people from writing a worthless check. Of course, the business owner always has control of which bad checks are submitted to our office.