

## Sample "Statutory Notice"

Date

Dear Check Writer:

You are hereby notified that a check numbered \_\_\_\_\_ in the face amount of \$ \_\_\_\_\_, issued by you on \_\_\_\_\_ drawn upon \_\_\_\_\_ bank, and payable to \_\_\_\_\_, has been dishonored. Pursuant to Indiana law you have 10 days from receipt of this notice to tender payment of the full amount of such check, plus a service charge which may not exceed the greater of \$27.50 or 5% (not more than \$250) of the amount due.

Unless this amount is paid in full within the time specified above, we may turn over the dishonored check and all other available information relative to this incident to the Prosecuting Attorney's Office for potential criminal prosecution.

Closing,

Your name/address

### Bad Check Program Information

As a victim of a bad check you may file this report with the Porter County Prosecuting Attorney, provided there is sufficient information, and that the check meets all eligibility guidelines. The Porter County Prosecuting Attorney's Office will seek full restitution for victims whenever possible; however, please keep in mind that the Bad Check Restitution Program can make no recovery guarantees. By submitting the check to the program you surrender control of the check to criminal process and forego the opportunity to pursue civil debt collections.

Check writers are encouraged to make payments in full. Should a partial payment be received, the payment will be allocated between the victim and the Bad Check Program. "Restitution" refers to the face value of all checks listed on this report.

A check will be deemed ineligible and returned to you to pursue a civil remedy, if a filed check is later determined to be:

- A stop payment check where the issuer acted in good faith and with reasonable cause in stopping payment,
- A check issued by someone not competent or of legal age,
- A check dishonored due to bank error or failure to notify the check writer of bank adjustment of a check,
- A check issued to pay an obligation arising from an illegal transaction.

### What to do after my crime report is filed with the Program

- Please **do not** accept direct payments from check writers. Should the check writer contact you to make payment, refer them to the Check Writer Hotline at (866) 889-5501.
- You may contact Merchant Care for case updates at (866) 889-5701 or [PorterIN@checkprogram.com](mailto:PorterIN@checkprogram.com) at anytime.
- Please allow a minimum of 90 days to pursue restitution.
- If the check writer does not comply with the Program, the case may be reviewed for possible criminal prosecution.
- If we are unable to recover restitution and/or the check is not "eligible" for prosecution, you may request the check(s) be returned to pursue a civil remedy.

### Filing Instructions

1. Fill out Report Completely.
2. Attach checks and all supporting documents such as CERTIFIED MAIL RETURN RECEIPT OR UNDELIVERED LETTER, COPY OF "STATUTORY NOTICE," ETC.
3. Mail Bad Check Crime Report and all other correspondence to:  
Porter County Bad Check Restitution Program  
P.O. BOX 1217, VALPARAISO, IN 46383-1217
4. Once a report has been filed: ALL restitution payments must be coordinated by the Prosecuting Attorney's Office. Should the check writer contact you to make payment, direct them to the Bad Check Restitution Program at (866) 889-5501.  
**DO NOT ACCEPT PAYMENT DIRECTLY FROM CHECKWRITER.**