



**LINCOLN COUNTY
DISTRICT ATTORNEY'S OFFICE**

**WORTHLESS CHECK
DIVERSION PROGRAM**

RESTITUTION GUIDE FOR MERCHANTS AND
RESIDENTS



**LINCOLN COUNTY
DISTRICT ATTORNEY'S OFFICE**

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Dear Lincoln County Merchants and Residents:

As consumers and taxpayers, we all pay higher prices because of the losses associated with people issuing worthless checks. Our office and law enforcement spend significant resources investigating and prosecuting people who issue worthless checks. Along with this, the number of worthless check cases increase every year.

In response to concerns regarding worthless checks, my office and your local law enforcement have implemented a worthless check diversion program.

The main goals of the program are:

- Restitution for victims
- Increase accountability of people who issue worthless checks
- Educate and assist Lincoln County merchants and residents in reducing the number of worthless check written
- Reduce the costs for investigating and prosecuting worthless check cases

The program is at no cost to the taxpayer or area merchants. It is solely supported by the people who issue the worthless checks.

If you have further questions after reviewing this packet, please contact the Check Diversion Program at 1-800-906-8182.

Very truly yours,

Donald J. Dunphy
District Attorney

PROGRAM SUMMARY

- A. Check writer pays the Check Diversion Program - 100% of the face value of the check is returned to the merchant plus bank fees, if paid.
- B. Offender completes a financial counseling program offered by the Check Diversion Program.
- C. Check writer fails to pay – the check is sent for prosecution review and proceedings.

Checks eligible for the Program

- NSF, Account Closed, Refer to Maker, Debit card charge backs, ACH NSF's and Electronic Checks received within Lincoln County that do not exceed \$2500.00.
If your check exceeds \$2500.00 please report to law enforcement.
- Worthless checks LESS THAN 120 DAYS from the date issued by the check writer.
(exception: first time program users can send checks up to 2 years old)

Checks not eligible for the Program

- **Promissory notes and/or arrangement to hold the check for deposit or credit extensions.**
- **Second party checks**
- **Stop Payment Checks**
- **Payroll Checks**
- **Checks that are currently in collections by a collection agency or attorney (law firm)**
(checks can be forwarded to check diversion program after agency has sent them back)

STEPS TO FILING A COMPLAINT FORM

The two documents below must be completed before any checks can be processed in the program.

1. The “**Memorandum of Understanding**”. Send this with your first checks.
You need to send this in one time only.
2. A completed “**Preliminary Worthless Check Report**” form must accompany each batch of check(s) submitted.
You must submit the original check(s) or copy (if checks are imaged) stamped by the bank with the reason it was returned to you.

Mail checks to : Lincoln County Bad Check Program
PO Box 190
Hager City, WI 54014-0190

WORTHLESS CHECK PROGRAM REPORTING

For information on checks sent in call 1-800-880-5420

Restitution recovered will be handled as follows:

- Paid in full restitution will be deposited into a trust account and paid back monthly.
- Payment plans will be deposited into a trust account and paid back after final payment is received.

WHEN TO CONTACT LAW ENFORCEMENT

Report:

- Counterfeit check(s)
- Altered checks
- Forged checks of any amount
- Checking account opened using fraudulent information
- Stolen checks
- Payroll checks
- Second party checks

When you are a victim of the above crimes, call Law Enforcement to file a report. An officer will take an initial report. **You must report these crimes immediately upon knowing.**

Lincoln County Sheriffs Office.....715-536-6272

Merrill Police Department.....715-536-8311

Tomahawk Police Department.....715-453-2121

SIGNAGE

The following signage is required by Wisconsin law to allow merchants to enforce collection of service charges and civil penalties. This must be posted where your customers can see the service charge at the time the check is accepted by the merchant. Copy as needed.

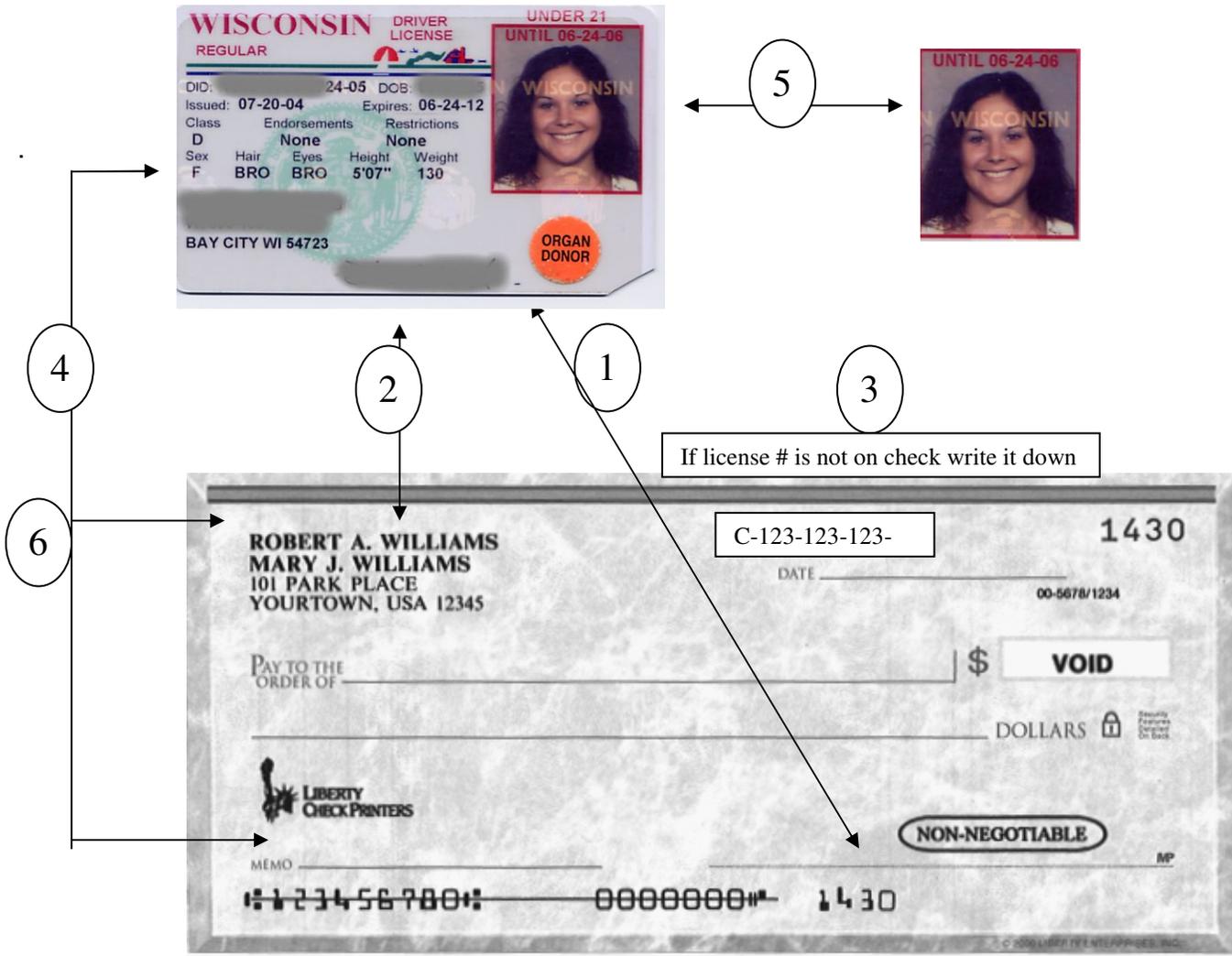
**IT'S AGAINST THE LAW TO WRITE A BAD
CHECK IN WISCONSIN**

**Checks returned to us for nonpayment
are subject to a service charge of**

\$30

Additional civil penalty may be imposed
on checks returned for nonpayment after 30 days.

CHECK ACCEPTANCE PROCEDURES



1. Check the signatures on the identification card and match this signature to the signature on the check (endorsement line). If these signatures do not match, acceptance should be declined
2. Make sure the identification card matches name and address on the check
If time permits write down good address as indicated by customer
3. Record or circle the Drivers License number or identification number
4. Record date of birth (i.e. DOB 1/29/72)
5. Make sure photo on identification card matches customer
6. Have employee initial upper left corner
7. Telephone number

