

OFFICE OF THE STATE ATTORNEY  
R.J. LARIZZA  
SEVENTH JUDICIAL CIRCUIT OF FLORIDA  
VOLUSIA, FLAGLER, PUTNAM & ST. JOHNS COUNTIES

## INSTRUCTIONS FOR FILING WORTHLESS CHECK COMPLAINTS

Please carefully read the instructions below and follow the steps listed toward collection or criminal prosecution.

### I. Send the Required Fifteen-Day Statutory Notice Letter to the Checkwriter or Passer.

- A. The person who wrote or passed the bad check has fifteen (15) days from the date on which you mail notice to pay you the amount of the check and a service charge of \$25.00, if the face value does not exceed \$50.00; \$30.00, if the face value exceeds \$50.00, but does not exceed \$300.00; \$40.00, if the face value exceeds \$300.00 or an amount up to 5 percent of the face amount of the check, whichever is greater.
- B. After the fifteen (15) day period has elapsed; you may file a criminal complaint against the checkwriter or check passer with the State Attorneys Office if the check has not been made good.
- C. You need not send the statutory notice letter for checks returned marked “No Account,” “Account Closed” or “Account Not Found”.
- D. Forged checks should not be submitted to the Worthless Checks Diversion Program. Forgeries require detailed investigation and should be reported to the law enforcement agency serving the city or county where the check was written or passed.

### II. Filing a Criminal Complaint

- A. You must provide the following documentation to support each complaint you file.
  - 1. The original check(s)-One check per complaint affidavit.
  - 2. A copy of the actual fifteen (15) day notice sent to the checkwriter.
  - 3. If the notice is mailed certified or registered mail return receipt requested, attach the original return receipt (green card signed by recipient) **or** if the notice is sent by first class mail, attach a sworn affidavit of service of mail. Please use the affidavit form provided.
  - 4. Legible copies of any order, contract, or other business records of the transaction with the checkwriter.
- B. Before submitting your complaint and supporting documentation to the State Attorney’s Office, you must complete the Worthless Check Complaint Affidavit in full and have it notarized. Your completed affidavit will then be processed through the Diversion Program and/or referred for criminal prosecution.
- C. Finally, submit your complaint and supporting documentation to the Worthless Check Division of the State Attorney’s Office at one of the following locations:
  - 1. **Daytona Beach**-251 North Ridgewood Ave., Daytona Beach, Florida 32114 **or** P.O. Box 2225, Daytona Beach, Florida 32115 (386) 239-7710
  - 2. **Deland**-101 North Alabama Ave., Deland, Florida 32724 (386) 822-6400
  - 3. **Palatka**-Putnam County Courthouse, 410 St. Johns Ave., Rm 109 (386) 329-0259
  - 4. **St. Augustine**-St. Johns County Courthouse, 4010 Lewis Speedway, Suite 2022, Building A, St. Augustine, Florida 32084 (904) 209-1620
  - 5. **Bunnell**-Kim C. Hammond Justice Center, 1769 East Moody Blvd., Building 1, Floor 3, Bunnell, Florida 32110 (386) 313-4300