

INSTRUCTIONS FOR FILING A COMPLAINT WITH THE Kaufman County **CHECK DEPARTMENT**

1. The first thing you must do to file a theft by issuance of a bad check case is to send the appropriate demand letter to the check writer via Certified mail return receipt requested or attach a notarized Affidavit of Service by Mail. Be sure to keep a photocopy of the demand letter you send and a copy of the notarized Affidavit of Service by Mail. We will need that copy to prove any theft by check case that goes to trial. Once your green receipt card, or the returned green card still attached to the envelope (**do not open the returned letter!**), and/or once the 10 days has elapsed, you may take the next step.
2. Complete and notarize a separate Kaufman County Theft by Check **AFFIDAVIT**. The affidavit can include up to four checks from the same person, at the end of each complaint form is an affidavit. Please read it carefully and fill in the blanks correctly, then have the form witnessed by a notary public. A notary public is available at the Hot Check Department office if needed. You will be swearing to the statements you made by filling in the blanks. Please make sure you decipher any trade jargon or numbers so that we can understand in common terms what was stolen. Attach a list, or receipt, or a bill of sale to this affidavit. The notes you submit will be used at the time to refresh your memory before you testify against the defendant in trial.
3. You will need to attach the **original check(s) or bank copy, certified letter receipt** and/or a copy of the affidavit of service by mail along with a copy of the letter you sent.
4. The materials mentioned above should be deliver or mailed to:

**Kaufman County District Attorney
Hot Check Department
100 W. Mulberry Street
Kaufman, Texas 75142**

SPECIAL INSTRUCTION AFTER FILING A COMPLAINT

Although the Check DEPARTMENT is **not** a collection agency, this office does collect restitution on behalf of the victims of check offenses. Payments are made through The Check Department in the form of **Cash, Money Orders, Cashier's Checks, or Credit/Debit Cards**. In order to assist in the collection of restitution and the filing of any criminal case the following special instructions **must be completed**.

PLEASE:

1. **Do not accept any restitution from a check writer after submitting a written complaint.** Refer any check writer to our office regarding restitution.
2. **Do not promise to drop any criminal charges if restitution is paid.** Promising to drop charges in exchange for money is a criminal offense (Bribery) for which you may be prosecuted.
3. **Do not contact the check Department regarding the arrest of the check writer.** The Kaufman County Sheriff's Office maintains and executes all arrest warrants.
4. **Contact the Check Department with any changes in regard to your address or telephone number.** Remember we can't pay you if we can't find you.

For more information and to get forms online visit:

<http://www.kaufmancountyda.com>

If you do have questions please call the Hot Check Department at 972-932-4331, ext. 1171 for Jana