

# Justices of the Peace - Hot Checks

## Hot Checks

A major jurisdiction of our Court is the criminal act of Issuance of Bad Checks (IBC). Each year, many defective checks are written and this criminal action has a significant negative impact on the lives and businesses of our community.

### Issuance of Bad Checks

Issuance of Bad Check charges are class C misdemeanors and can be filed in the Justice of the Peace office. The check must be filed in the County and Precinct where it was passed.

Our office accepts checks returned from the bank mark NSF or account closed. Stopped payment checks must be filed as Civil Suits.

Each filing must be done by completing an affidavit and signing it in front of a court clerk or notary public. The bank copy of the check and certified mail proof (when applicable) must be filed with the affidavit.

### Affidavit Issuance of a Bad Check

### Hot Checks Filed Against You

You need to contact your JP office as soon as possible concerning a hot check case against you or you can contact the vendor to arrange to pay them. You will need to come to your precinct's JP office and address your check problem today.

If you wish to plead Not Guilty, you may also request trial by Judge or Jury. That choice is yours. You will need to fill out an affidavit of forgery form if you are alleging that you did not write the check. You are not required to have an attorney in Court, but you may hire one if you wish. The District Attorney of Hopkins County will have an attorney present to prosecute the case against you. The Judge is prohibited, by law, from discussing your case with you unless you have pled guilty or no contest or the District Attorney is also present.

If you choose to go to Court, you are responsible for bringing all papers, pictures and exhibits with you to the Court hearing. You may also contact the Court for information on how to subpoena witnesses.