

**MAGISTRATE COURT  
Lowndes County, Georgia  
P.O. Box 1349  
Valdosta, GA. 31603-1349  
Fax Number  
671-3442**

**JONI B. PARKER  
Chief Magistrate**

**TELEPHONE  
671-2610**

**ELIZABETH C. CLEVELAND  
Magistrate**

**INFORMATION ON BAD CHECK WARRANTS IN THE STATE OF GEORGIA  
(Ga. Code Section 16-9-20)  
Fee for processing a bad check warrant is \$20.00**

**I. Have you met these legal requirements?**

1. Did you receive the check in Lowndes County?
2. Was the check dated the same day it was received? Accepting a check that has been post dated or you made arraignments to deposit the check at a later date the criminal element no longer exist and a warrant cannot be issued.
3. Was it presented to the bank within 30 days of delivery?
4. Was there a contemporary exchange of merchandise, money, service, child support payment under Court Order or written agreement or debt of rent at the time the check was presented?
5. Be certain that there is a physical address either written or printed on the check if not, have the individual write the current address/information on said check and also have the person receiving said check initial it at the top left hand corner?
6. Said check must be stamped INSUFFICIENT FUNDS, ACCOUNT CLOSED, NO ACCOUNT or NO ACCOUNT FOUND if so; notice to the maker is required?
7. Did you give the maker a 10 day notice by certified mail, return receipt?  
This certified letter must be sent within 90 days from the date the check was written.

8. At the time of filing for an arrest warrant, please bring with you proof that you sent notice by certified mail by providing the court with the certified mail/return receipt and a copy of the letter you sent to the individual or if the letter comes back to you due to it being unclaimed or undeliverable as addressed, please bring the whole envelope with you. Be certain to make copies of all documents for your records as the court will need all original documents in order to process the warrant.
9. Did the party receiving the check witness the signature on the check at the time it was presented to you or your business?
10. When a check was given as payment on an open account, given as partial payment, or when you receive partial payment on the check after it was dishonored, the criminal element does not exist and a warrant cannot be issued.
11. When sending a certified letter/return receipt to a company or business be sure to address the letter and the return receipt to the individual that signed the check in c/o the business.

**II. You may charge a service charge not to exceed \$30.00 or 5% of the face value amount of the check, which ever is greater. The form of notice should be substantially as follows:**

AYou are hereby notified that a check or instrument, numbered \_\_\_\_, issued by you on \_\_\_\_ (date), drawn on \_\_\_\_\_(name of bank), and payable to \_\_\_\_\_, has been dishonored. Pursuant to Georgia Law, you have 10 days from receipt of this notice to tender payment of full amount of the check plus a service charge of \$30.00 or 5% of the face amount of the check, whichever is greater, the total amount due being \$\_\_\_\_\_. Unless this amount is paid in full within the specified time above, the holder of the check or instrument may turn over the dishonored check or instrument and all other available information relating the incident to the District Attorney or Solicitor for criminal prosecution.@

A Misdemeanor Warrant is any check (\$1,499.99 and under) or (drawn on a Georgia Bank) it is forwarded to the State Court of Lowndes County. If the check is (\$1,500.00 or more) or (drawn on an out-of-state bank) it is considered a Felony and will be forwarded to the Superior Court of Lowndes County upon arrest.

**Once a warrant is issued you are not allowed to accept any payment or make any arrangements with the accused for payment of said check. Once the warrant is issued it cannot be withdrawn without requesting a hearing with the Judge and paying a penalty not to exceed \$500.00.**