

TOLEDO MUNICIPAL COURT

Citizen Dispute Settlement Program

555 N. Erie Street

Toledo, Ohio 43604

419-245-1951

www.toledomunicipalcourt.org

CRS Procedures

The Citizen Dispute Settlement Program's Check Resolution Service (CRS) provides businesses a cost effective service by which out of court settlements can be reached for bad check cases. The mediations are scheduled at the businesses' convenience. Below is a brief outline of how this service works.

Check Acceptance Criteria:

- 1) Checks submitted to CRS must be drawn on a bank within Toledo court's jurisdiction or passed to a person/business in that jurisdiction.
- 2) Each check must be written for less than \$1,000.00. (Checks \$1,000.00 and over are felonies.)
- 3) Checks must be returned due to insufficient funds or closed account.
- 4) A case is defined as up to 10 checks written by the same individual.
- 5) Some cases will not be referred to mediation because they do not meet court criteria. There will be no filing fee for those specific cases.
- 6) If parties are interested in filing charges against the check writer after an unsuccessful mediation, it is necessary to file within two years of accepting the check.

Check Submission Requirements:

- 1) Contact the check writer by certified mail requesting a receipt and allow the writer at least 10 days to pay before filing the case. **(Please visit <http://tmc.toledomunicipalcourt.org/Documents/Sample%2010%20Day%20Notice%20Letter.pdf> for a sample letter to use as a template for the 10 day notice.)**
- 2) Come to Citizen's Dispute Settlement Program's Office, Toledo Municipal Court, 4th Floor to file a case with a maximum of 10 checks per individual.
- 3) Pay a filing fee of \$15.00 per case. Payment must be by money order, cashier's check, business check or certified check made payable to Toledo Municipal Court. (The \$15.00 fee will be included in the amount collected from the bad check writer at the time of mediation.) If it is more convenient, cases may be

submitted by mail. It is not necessary to have a police report for the filing of cases through this program.

Notice of Mediation:

CRS will send a letter to each check writer to:

- 1) Inform the check writer of the passing bad check complaint.
- 2) Notify him/her to appear for a mediation to arrange settlement of checks plus the service fees.

Mediation Process

A representative of the business will need to attend the mediation. At that mediation, a staff member will:

- 1) Record any advance payment made to the business as a result of the mediation notice.
- 2) Offer check writers who appear the opportunity to settle the case.
- 3) Mediate any negotiation.
- 4) Assist the business representative with filing charges of unresolved cases. (See below)

If the mediation is unsuccessful the parties can request charges be filed against the check writer by:

- 1) We will have someone from the police department contact you to file a police report.
- 2) Police department will give business owner the RB number of the report.
- 3) You will need to go to the Prosecutor's office with the RB number and identifiers of the person who wrote the check. Prosecutors will determine if a charge will be filed.

Identification of Check Writer:

The Police and Prosecutor require that businesses be able to identify the check writer by one or more of the following:

- a) Having a photocopy of the check writer's license.
- b) License number or social security number written on the check, and the ability to have the documenting individual present at the court hearing.
- c) Thumb print of the check writer on the check or a picture of the check writer at the time of transaction.