



Bad Checks

by Mary Buettner
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I get a call nearly every week from a client who has received a bad check. It may sound odd, but those clients are actually the lucky ones.

I suppose the luckiest clients are those with customers who simply pay for goods received and services rendered. But if you have a problem customer who doesn't want to pay for what s/he received, it's better to get a bad check than no check at all or a check on which the customer stops payment.

Here's why: Prosecuting attorneys in Missouri and state's attorneys in Illinois will pursue people who write bad checks. I've found that clients who receive bad checks and go to the prosecuting attorney/state's attorney usually get real help. And they don't have to pay an attorney! When the bad check writers face jail time, they miraculously come up with the money to cover the check.

The bigger problem is the customers who won't pay at all or who stop payment on checks. For these customers, you have to resort to collection techniques: you can make collection calls yourself, turn the matter over to a collection agency or attorney, or sue the customer in small claims court.

I've found that the savvy problem customer will write a check and then stop payment, claiming that the goods received or services rendered were defective in some manner. The

prosecuting attorney/state's attorney will not get involved in stopped payment cases, believing such cases are contract disputes rather than criminal matters.

I wish you a Happy New Year, filled with paying customers. But if you have problem customers, I hope they are bad check writers!

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