

***Stanislaus County Employees'
Retirement Association***



STALE DATED & UNCLAIMED CHECKS POLICY

Policy 4003

January 22, 2008

Purpose

Stanislaus County Employees' Retirement Association (StanCERA) issues warrants (checks) for Retiree Benefits, Member Refunds, Death Benefits, and Accounts Payable. Once a check is issued, the recipient has 180 days to deposit the check. If the check has not cleared StanCERA's bank after 180 days, the check is considered stale dated. StanCERA complies with the provisions of California Employees' Retirement Law of 1937, Government §31783.5 regarding stale dated checks.

It is StanCERA's policy to review and process stale dated and unclaimed checks monthly. Multiple accounts for Stale Dated and Unclaimed Checks (benefit payments, burial allowances, death benefits, and accounts payable) have been created to act as "holding" accounts for these funds until payment is reissued to the payee or absorbed by the StanCERA.

Authority

Department Head Approval

Procedure

1. Determining Stale Dated Checks

- a. StanCERA Staff will identify and generate a list of outstanding checks six months old or older, by issue date, utilizing its treasury management reporting each month.
- b. The identified funds are moved to the appropriate holding account in the General Ledger for up to five (5) years.
- c. StanCERA Staff will attempt to locate the payee per Government Code §31583.5 using available search tools (e.g., LexisNexis, Berwyn, SPOKEO, DMV, etc.).

2. Canceling Stale Dated Checks

- a. StanCERA will notify the payee or beneficiary in writing that a check was issued more than six months ago and has not cleared StanCERA's treasury account. The payee will be provided a "Declaration to Obtain Duplicate of a Lost or Destroyed Check" form. If payee is deceased with no beneficiary, StanCERA will obtain an Affidavit Under California Probate Code Section 13101.
- b. 30 days after initial notification - If there is no reply from the payee or beneficiary, a second notification will be sent by certified mail.
- c. 60 days after initial notification - If no reply has been received a final notice will be sent to the payee or beneficiary. The funds will remain in the holding account for up to five (5) years and will be absorbed into the System's reserves if unclaimed.

3. Re-issuing Stale Dated Checks

- a. Payee or beneficiary must provide a completed "Declaration to Obtain Duplicate of a Lost or Destroyed Check" affidavit, signed by the payee or beneficiary, under California Probate Code Section 13101, if applicable.

- b. Once the required documents are received by StanCERA, a new check will be issued to the payee or beneficiary through StanCERA's accounts payable process.
4. Redeposit to Reserves (5 Years)
- a. At fiscal year-end, the holding accounts will be reconciled; any unclaimed funds five (5) years and older, from the date of initial contact, will be moved to the appropriate reserve account(s).

Policy Review

This policy shall be reviewed at least every three years.

Policy History

Policy reviewed and updated November 22, 2016.
Policy reviewed and updated September 16, 2020.
Policy reviewed and updated September 26, 2022.



Richard Santos, Executive Director

POLICY APPROVAL DATE: January 22, 2008