

## Chapter DFI-CCS 4

### FILING AND DATA ENTRY PROCEDURES

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**Note:** Chapter DFI-CCS 4 was created as an emergency rule effective 10-24-01.

**DFI-CCS 4.01 Role of filing office.** This chapter describes the filing procedures for the filing officer upon and after receipt of a UCC document. The filing officer shall promptly file a document that conforms to these procedures. Except as provided in these procedures, data shall be transferred from a UCC document to the information management system exactly as the data are set forth in the document. Personnel who create reports in response to search requests shall type search criteria exactly as set forth on the search request. No effort shall be made to detect or correct errors of any kind.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.02 Document indexing and other procedures before archiving.** When a document is received, the following shall occur:

(1) **DATE AND TIME STAMP.** The date and time of receipt, to be permanently associated with the record maintained for a UCC document in the UCC information management system, shall be entered at the earliest possible time.

(2) **CASH MANAGEMENT.** Transactions necessary to the payment of the filing fee shall be performed.

(3) **DOCUMENT REVIEW.** (a) *Filing office determination.* The filing office shall determine whether a ground exists to refuse the document under s. DFI-CCS 2.03.

(b) *File identification.* If there is no ground for refusal of the document, the document shall be filed, and a unique identification number and the filing date shall be permanently associated with the record of the document maintained in the UCC information management system. The sequence of the identification number shall not be an indication of the order in which the document was received.

(c) *Correspondence.* If there is a ground for refusal of the document, notification of refusal to accept the document shall be prepared as provided in s. DFI-CCS 2.05. If there is no ground for refusal of the document, an acknowledgment of filing shall be prepared as provided in s. DFI-CCS 2.06. If the UCC document was tendered in person, notice of refusal or acknowledgment of the filing shall be given to the remitter by personal delivery or postal delivery. If the UCC document was tendered electronically, the notice or acknowledgement shall be transmitted to the remitter by the same method in which it was received. Regardless of the response method, the response shall include the UCC document filed as well as the information required by s. DFI-CCS 2.05 or 2.06. Acknowledgment of filing or notice of refusal of a UCC document tendered by means other than personal delivery or electronic transmission shall be sent to the secured party, or the first secured party if there are more than one, named on the UCC document, or to the remitter if the remitter so requests by regular mail or by overnight courier if the remitter provides a prepaid waybill or access to the remitter's account with the courier.

(4) **DATA ENTRY.** Data entry and indexing functions shall be performed as described in this chapter. Only characters that appear on a standard computer keyboard shall be entered into the data information system index.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.03 Filing date.** The filing date of a UCC document shall be the date the UCC document is received with the proper filing fee if the filing office is open to the public on that date or, if the filing office is not so open on that date, the filing date shall be the next date the filing office is open, except that, in each case, UCC documents received after close of business shall be deemed received on the following day the office is open for business. The filing officer may perform any duty relating to the document on the filing date or on a date after the filing date.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.04 Filing time.** The filing time of a UCC document shall be determined as provided in s. DFI-CCS 1.06.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.05 Lapse date and time.** A lapse date shall be calculated for each initial financing statement, unless the debtor is indicated to be a transmitting utility. The lapse date shall be the same date of the same month as the filing date in the fifth year after the filing date or relevant subsequent fifth anniversary thereof if a timely continuation statement is filed, but if the initial financing statement indicates that it is filed with respect to a public finance transaction or a manufactured-home transaction, the lapse date shall be the same date of the same month as the filing date in the thirtieth year after the filing date. The lapse shall take effect at midnight at the end of the lapse date. The relevant anniversary for a February 29 filing date shall be March 1.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.06 Errors of the filing officer.** The filing officer may correct the errors of filing officer personnel in the UCC information management system at any time. If the correction is made after the filing officer has issued a certification date that includes the filing date of a corrected document, the filing officer shall place a record relating to the relevant initial financing statement in the UCC information management system stating the date of the correction and explaining the nature of the corrective action taken. The record shall be preserved for so long as the record of the initial financing statement is preserved in the UCC information management system.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.07 Errors other than filing office errors.** Correcting an error is the responsibility of the filer. An error shall be corrected by filing an amendment or disclosed by a correction statement.

**History:** CR 01-122; cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.08 Data entry of names – designated fields.** A filing shall designate whether a name is a name of an individual or an organization and, if an individual, also designates the first, middle and last names and any suffix, and when this is done, the following shall apply:

(1) **ORGANIZATION NAMES.** Organization names shall be entered into the UCC information management system exactly as set forth in the UCC document, even if it appears that multiple names are set forth in the document or if it appears that the name of an individual has been included in the field designated for an organization name.

**Note:**

(2) **INDIVIDUAL NAMES.** On a form that designates separate fields for first, middle, and last names and any suffix, the filing officer shall enter the names into the first, middle, and last name and suffix fields in the UCC information management system exactly as set forth on the form.

(3) **DIRECT DATA ENTRY.** All documents submitted through direct data entry shall be required to use designated name fields.

**Note:** The filing office encourages the use of forms that designate separate fields for individual and organization names and separate fields for first, middle, and last names and any suffix. The forms diminish the possibility of filing office error and help ensure that filers' expectations are met. However, filers should be aware that the inclusion of names in an incorrect field or failures to transmit names accurately to the filing office may cause filings to be ineffective.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.09 Data entry of names – no designated fields.** (1) A UCC document that is an initial financing statement or an amendment that adds a debtor to a financing statement and that fails to specify whether the debtor is an individual or an organization shall be refused by the filing office.

(2) If a UCC document that is an initial financing statement or an amendment that adds a debtor to a financing statement and that fails to specify whether the debtor is an individual or an organization is accepted for filing in error, the following shall apply:

(a) *Identification of organizations.* When not set forth in a field designated for individual names, a name shall be treated as an organization name if it contains words or abbreviations that indicate status. In cases where organization or individual status is not designated by the filer and is not clear, the filing officer shall use their own judgment.

**Note:** Example: Association, church, college, company, co., corp., corporation, inc., limited, ltd., club, foundation, fund, L.L.C., limited liability company, institute, society, union, syndicate, GmbH, S.A. de C.V., limited partnership, L.P., limited liability partnership, L.L.P., trust, business trust, co-op, cooperative and other designations established by statutes to indicate a statutory organization shall be treated as an organization name.

(b) *Identification of individuals.* A name shall be entered as the name of an individual and not the name of an organization when the name is followed by certain titles or its equivalent in a foreign language.

**Note:** Example: proprietor, sole proprietor, proprietorship, sole proprietorship, partner, general partner, president, vice president, secretary, treasurer, M.D., O.D., D.D.S., attorney at law, Esq., accountant, or CPA. In such cases, the title shall not be entered.

(c) *Individual and organization names on a single line.* Where it is apparent that the name of an individual and the name of an entity are stated on a single line and not in a designated individual name field, the name of the individual and the name of the entity shall be entered as two separate debtors, one as an individual and one as an entity.

(d) *Individual names.* The failure to designate the last name of an individual debtor in an initial financing statement or an amendment adding the debtor to a financing statement shall cause a filing to be refused. If the filing is accepted in error, or if only the last name is designated, the following shall apply:

1. An initial in the first position of the name shall be treated as a first name. An initial in the second position of the name shall be treated as a middle name.

2. An initial and a name to which the initial apparently corresponds shall be entered into one name field only.

**Note:** Example: "D (David)" in the name "John D (David) Rockefeller" is entered as "John" (first name); "D (David)" (middle name); "Rockefeller" (last name).

3. Two individual names contained in a single line shall be entered as two, different debtors.

**Note:** Example: the debtor name "John and Mary Smith" is entered as two debtors: "John Smith", and "Mary Smith".

4. A one word name shall be entered as a last name.

**Note:** Example: "Charo" is treated as a last name.

5. A nickname shall be entered in the name field together with the name preceding the nickname, or if none, then as the first name.

**Note:** Example: "William (Bill) Jones".

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.10 Verification of data entry.** The filing officer shall use the following procedures to verify the accuracy of data entry tasks:

(1) Double key entry shall be employed for data entered in the following fields:

- Document type (class code).
- Form identifier, standard or non-standard.
- Debtor name.
- Secured party/assignee name.
- Original filing number, if applicable.

(2) Visual inspection of data entry is employed for data entered in the following fields:

- Debtor individual vs organization identifier.
- Secured party individual vs organization identifier.
- Address fields.
- Date and time.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.11 Initial financing statement.** (1) A new record shall be opened in the UCC information management system for each initial financing statement that bears the file number of the financing statement and the date and time of filing.

(2) The name and address of each debtor that are legibly set forth in the financing statement shall be entered into the record of the financing statement. Each debtor name shall be included in the searchable index and shall not be removed until one year after the financing statement lapses. Debtor addresses shall not be included in the searchable index except to the extent the filing office offers or intends to offer limited searches or limited copy requests as provided in s. DFI-CCS 5.03.

(3) The name and address of each secured party that are legibly set forth in the financing statement shall be entered into the record of the financing statement.

(4) The record shall be indexed according to the name of the debtor and the filing number and maintained for public inspection.

(5) A lapse date shall be established for the financing statement, unless the initial financing statement indicates it is filed against a transmitting utility, and the lapse date is maintained as part of the record.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.12 Amendment.** (1) A record shall be created for the amendment that bears the file number for the amendment and the date and time of filing.

(2) The record of the amendment shall be associated with the record of the related initial financing statement in a manner that causes the amendment to be retrievable each time a record of the financing statement is retrieved.

(3) The name and address of each additional debtor and secured party shall be entered into the UCC information management system in the record of the financing statement. Each additional debtor name shall be added to the searchable index and shall not be removed until one year after the financing statement lapses. Debtor addresses shall not be included in the searchable index except to the extent the filing office offers or intends to offer limited

searches or limited copy requests as provided in s. DFI-CCS 5.03.

(4) If the amendment is a continuation, a new lapse date shall be established for the financing statement and maintained as part of its record.

(5) Each individual amendment form shall include only one filing action and only amend information, which shall be indexed within the constraints of the form.

**Note:** Example: An individual may not add or change debtor and secured party on the same form.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.13 Correction statement.** A record shall be created for the correction statement that bears the file number for the correction statement and the date and time of filing. The record of the correction statement shall be associated with the record of the related initial financing statement in a manner that causes the

correction statement to be retrievable each time a record of the financing statement is retrieved.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.14 Global filings.** The filing officer shall not accept for filing a single UCC document for the purpose of amending more than one financing statement, including an amendment to change secured party name, or amendment to change secured party address, or both.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.

**DFI-CCS 4.15 Notice of bankruptcy.** The filing officer shall take no action upon receipt of a notification, formal or informal, of a bankruptcy proceeding involving a debtor named in the UCC information management system. Accordingly, financing statements shall lapse in the information management system as scheduled unless properly continued.

**History:** CR 01-122: cr. Register February 2002 No. 554, eff 3-1-02.