Chapter DFI−CCS 3

INFORMATION MANAGEMENT SYSTEM

Note: Chapter DFI−CCS 3 was created as an emergency rule effective 10−24−01.

DFI–CCS 3.01 Purpose. The filing officer uses an information management system to store, index, and retrieve information relating to financing statements. The information management system includes an index of the names of debtors named on financing statements. This chapter describes the UCC information management system.

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

DFI–CCS 3.02 Primary data elements. The primary data elements used in the UCC information management system shall be the following:

(1) IDENTIFICATION NUMBERS. (a) Each initial financing statement shall be identified by its file number as set forth in s. DFI–CCS 1.01 (7). Identification of the initial financing statement shall be permanently associated with the record maintained for UCC documents in the UCC information management system. A record shall be created in the information management system for each initial financing statement, and all information comprising the record shall be maintained in the system. The record shall be identified by the same information assigned to the initial financing statement.

(b) A UCC document other than an initial financing statement shall be identified by a unique file number assigned by the filing officer. In the information management system, records of all UCC documents other than initial financing statements shall be linked to the record of their related initial financing statement.

(2) TYPE OF DOCUMENT. The type of UCC document from which data is transferred shall be identified in the information management system from information supplied by the remitter.

(3) FILING DATE AND FILING TIME. The filing date and filing time of UCC documents shall be stored in the information management system. Calculation of the lapse date of an initial financing statement shall be based upon the filing date.

(4) IDENTIFICATION OF PARTIES. The names and addresses of debtors and secured parties shall be transferred from UCC documents to the UCC information management system using one or more data entry or transmittal techniques.

(5) STATUS OF FINANCING STATEMENT. In the information management system, each financing statement shall have a status of active or inactive.

(6) PAGE COUNT. The total number of pages in a UCC document shall be maintained in the information management system.

(7) LAPSE INDICATOR. An indicator shall be maintained by which the information management system identifies whether or not a financing statement shall lapse and, if it does, when it shall lapse. The lapse date shall be determined as provided in s. DFI–CCS 4.05.

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DFI–CCS 3.03 Names of debtors who are individuals. The following shall apply to the name of a debtor or a secured party on a UCC document who is an individual as defined in s. DFI–CCS 1.01(15):

(1) INDIVIDUAL NAME FIELDS. The names of individuals shall be stored in files that include only the names of individuals, and not the names of organizations. Separate data entry fields shall be established for first (given), middle (given), and last names (surnames or family names) of individuals. A filer shall place the name of a debtor with a single name in the last name field. The filing officer shall assume no responsibility for the accurate designation of the components of a name but shall accurately enter the data in accordance with the filer's designations.

Note: Example: Place the name of a debtor with a single name "Cher" in the last name field.

(2) TITLES AND PREFIXES BEFORE NAMES. Titles and prefixes shall not be entered in the UCC information management system. However, as provided in s. DFI—CCS 4.08, when a UCC document is submitted with designated name fields, the data shall be entered in the UCC information management system exactly as it appears.

Note: Example: "Doctor," "Reverend," "Mr." and "Ms." should not be entered in the system.

(3) TITLES AND SUFFIXES AFTER NAMES. Titles or indications of status shall not be part of an individual's name and should not be provided by filers in UCC documents. Suffixes that indicate which individual is being named shall be appropriate. In either case, as provided in s. DFI—CCS 4.08, they shall be entered into the information management system exactly as received.

Note: Example: "M.D." and "esquire" should not be provided; "senior," "junior," "I," "II" and "III" are appropriate.

(4) TRUNCATION – INDIVIDUAL NAMES. (a) Personal name fields in the UCC database shall be fixed in length. Although filers should continue to provide full names on their UCC documents, a name that exceeds the fixed length shall be entered as presented to the filing officer, up to the maximum length of the data entry field.

(b) The length of data entry name fields shall be as follows:

1. First name: 100 characters.
2. Middle name: 100 characters.
3. Last name: 100 characters.
4. Suffix: 100 characters.

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DFI–CCS 3.04 Names of debtors that are organizations. The following shall apply to the name of an organization which is a debtor or a secured party on a UCC document:

(1) SINGLE FIELD. The names of organizations shall be stored in files that include only the names of organizations and not the names of individuals. A single field shall be used to store an organization name.

(2) TRUNCATION ORGANIZATION NAMES. The organization name field in the UCC database shall be fixed in length. The maximum length shall be 300 characters. Although filers should con-

tinue to provide full names on UCC documents, a name that exceeds the fixed length shall be entered as presented to the filing officer, up to the maximum length of the data entry field.

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DFI−CCS 3.05 Estates. Estates shall be treated as if the decedent were the debtor under s. DFI−CCS 3.03.

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

DFI−CCS 3.06 Trusts. If the trust is named in its organic document, its full legal name, as set forth in the document, shall be used. The trust shall be treated as an organization. If the trust is not so named, the name of the settlor shall be used. If a settlor is indicated to be an organization, the name shall be treated as an organization name. If the settlor is an individual, the name shall be treated as an individual name. A UCC document that uses a settlor's name shall include other information provided by the filer to distinguish the debtor trust from other trusts having the same settlor, and all financing statements filed against trusts or trustees acting with respect to property held in trust shall indicate the nature of the debtor. If this is done in, or as part of, the name of the debtor, it shall be entered as if it were a part of the name under ss. DFI−CCS 4.08 and 4.09.

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

DFI−CCS 3.07 Initial financing statement. Upon the filing of an initial financing statement the status of the parties and the status of the financing statement shall be as follows:

(1) STATUS OF SECURED PARTY. Each secured party named on an initial financing statement shall be a secured party of record, except that if the UCC document names an assignee, the secured party/assignor shall not be a secured party of record and the secured party/assignee shall be a secured party of record.

(2) STATUS OF DEBTOR. The status of a debtor named on the document shall be active and shall continue as active until one year after the financing statement lapses.

(3) STATUS OF FINANCING STATEMENT. The status of the financing statement shall be active. A lapse date shall be calculated, five years from the file date, unless the initial financing statement indicates that it is filed with respect to a public−financing transaction or a manufactured home transaction, in which case the lapse date shall be thirty years from the file date, or if the initial financing statement indicates that it is filed against a transmitting utility, in which case there shall be no lapse date. A financing statement shall remain active until one year after it lapses, or if it is indicated to be filed against a transmitting utility, until one year after it is terminated with respect to all secured parties of record.

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

DFI−CCS 3.08 Amendment. Upon the filing of an amendment, the status of the parties and the status of the financing statement shall be as follows:

(1) STATUS OF SECURED PARTY AND DEBTOR. (a) *Collateral amendment or address change.* An amendment that amends only the collateral description or one or more addresses shall have no effect upon the status of any debtor or secured party. If a statement of amendment is authorized by less than all of the secured parties, or, in the case of an amendment that adds collateral, less than all of the debtors, the statement shall affect only the interests of each authorizing secured party or debtor.

(b) *Debtor name change.* An amendment that changes a debtor's name shall have no effect on the status of any debtor or secured party, except that the related initial financing statement, and all UCC documents that include an identification of the initial financing statement shall be cross−indexed in the UCC information management system so that a search under either the debtor's old name or the debtor's new name shall reveal the initial financing statement and the related UCC documents. The statement of amendment shall affect only the rights of its authorizing secured party.

(c) *Secured party name change.* An amendment that changes the name of a secured party shall have no effect on the status of any debtor or any secured party, but the new name shall be added to the index as if it were a new secured party of record.

(d) *Addition of a debtor.* An amendment that adds a new debtor name shall have no effect upon the status of any party to the financing statement, except the new debtor name shall be added as a new debtor on the financing statement. The addition shall affect only the rights of the secured party authorizing the statement of amendment.

(e) *Addition of a secured party.* An amendment that adds a new secured party shall not affect the status of any party to the financing statement, except that the new secured party name shall be added as a new secured party on the financing statement.

(f) *Deletion of a debtor.* An amendment that deletes a debtor shall have no effect on the status of any party to the financing statement, even if the amendment purports to delete all debtors.

(g) *Deletion of a secured party.* An amendment that deletes a secured party of record shall have no effect on the status of any party to the financing statement, even if the amendment purports to delete all secured parties of record.

(2) STATUS OF FINANCING STATEMENT. An amendment shall have no effect upon the status of the financing statement, except that a continuation shall extend the period of effectiveness of a financing statement.

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

DFI−CCS 3.09 Assignment of powers of secured party of record. (1) STATUS OF THE PARTIES. An assignment shall have no effect on the status of the parties to the financing statement, except that each assignee named in the assignment shall become a secured party of record.

(2) STATUS OF FINANCING STATEMENT. An assignment shall have no effect upon the status of the financing statement.

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

DFI−CCS 3.10 Continuation. (1) CONTINUATION OF LAPSE DATE. Upon the timely filing of one or more continuations by any secured party of record, the lapse date of the financing statement shall be postponed for 5 years.

(2) STATUS OF PARTIES. The filing of a continuation shall have no effect upon the status of any party to the financing statement.

(3) STATUS OF FINANCING STATEMENT. Upon the filing of a continuation statement, the status of the financing statement shall remain active.

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

DFI−CCS 3.11 Termination. (1) STATUS OF PARTIES. The filing of a termination shall have no effect upon the status of any party to the financing statement.

(2) STATUS OF FINANCING STATEMENT. A termination shall have no effect upon the status of the financing statement and the financing statement shall remain active in the information management system until one year after it lapses, unless the termination relates to a financing statement that indicates it is filed against a transmitting utility, in which case the financing statement shall become inactive one year after it is terminated with respect to all secured parties of record.

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

DFI−CCS 3.12 Correction statement. (1) STATUS OF PARTIES. The filing of a correction statement shall have no effect upon the status of any party to the financing statement.

(2) STATUS OF FINANCING STATEMENT. A correction statement shall have no effect upon the status of the financing statement.

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

DFI−CCS 3.13 Procedure upon lapse. If there is no timely filing of a continuation with respect to a financing statement, the financing statement shall lapse on its lapse date. On the first anniversary of the lapse date, the information management

system renders or is caused to render the financing statement inactive and the financing statement shall no longer be made available to a searcher unless inactive statements are requested by the searcher and the financing statement is still retrievable by the information management system.

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

DFI–CCS 3.14   XML authorized. When XML is available a remitter may be authorized for XML transmission upon the written authorization of the filing officer. The filing officer shall authorize a remitter to engage in XML transmissions if the remitter holds an account for the billing of fees by the filing officer, the remitter has entered into a user agreement, in form and substance satisfactory to the filing officer, with the department, and the filing officer determines, after appropriate testing of transmissions in accordance with the filing officer's specifications, that the remitter is capable of transmitting XML documents in a manner that permits the filing officer to receive, index, and retrieve the XML documents. The filing officer may suspend or revoke the authorization when, in the filing officer's sole discretion, the filing officer determines that a remitter's transmissions are incompatible with the filing officer's XML system. A request to be authorized to transmit XML documents shall be in writing and delivered to the filing officer. Upon receipt of a request for authorization, the filing officer shall provide the remitter with necessary information on the requirements for XML transmission, including format, address for transmission, and other necessary specifications.

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

DFI–CCS 3.15   IACA standard adopted. The XML format, as adopted by the International Association of Corporation Administrators, shall be the format for electronic transmission of UCC documents, although the filing officer may, periodically and at the request of an authorized XML remitter, identify which versions and releases of the XML format are then in use by and acceptable to the filing office.

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

DFI–CCS 3.16   Implementation guide. The filing office shall publish an implementation guide that prescribes in further detail the use of the XML format in the UCC filing system. The guide shall be available upon request made in writing to the filing office.

Note: Requests should be sent to UCC Section, Department of Financial Institutions, P.O. Box 7847, Madison, WI 53707−7847.

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

DFI–CCS 3.17   Refusal of XML document. A record transmitted to the filing officer that is not machine readable, has been refused under s. DFI—CCS 2.03, or does not contain the information required by the implementation guide referred to in s. DFI—CCS 3.16 in an acceptable format shall be refused. The filing officer shall provide regularly scheduled, not less frequently than daily, electronic notices to the relevant remitter containing identification of XML documents refused and appropriate error codes or explanations for the refusal as provided in s. DFI—CCS

2.05 when possible. However, records that cannot be read because they are garbled or are in improperly structured data packets, or which are received from persons not authorized for XML by the filing office shall not receive a refusal response. Readable transmissions from authorized transmitters shall generate electronic confirmation of acceptance or rejection.

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

DFI–CCS 3.18   Acceptance and archives. An XML document shall not accepted for filing at the time it is received by the filing office. An XML document shall be accepted only after it is analyzed by the filing offices XML system and it is determined that the XML document is machine readable and all required elements of the transmission have been received in an approved format. Upon acceptance of an XML document for filing, a report shall automatically be generated which shall contain all of the information related to the document including all information transmitted by the remitter for inclusion in the document as prescribed by the implementation guide referred to in s. DFI—CCS 3.16. The information contained in the report shall promptly be rendered and stored in a record. The filing officer shall provide regularly scheduled, not less frequently than daily, electronic notices to remitters of accepted XML documents to confirm the acceptance and the creation of the record.

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

DFI–CCS 3.19   XML UCC search requests. (1) UCC search requests shall be submitted electronically by persons authorized to submit XML documents in the manner set forth in the implementation guide referred to in s. DFI—CCS 3.16. Unless otherwise specified in the implementation guide, accepted requests shall generate searches conducted under the same search criteria applicable to search requests not submitted electronically.

(2) Electronic search requests shall be submitted only by persons who are authorized to transmit XML documents pursuant to s. DFI–CCS 3.14 and who have entered into arrangements acceptable to the filing officer for the payment of search and copy fees.

(3) Responses to electronic search requests shall be made available electronically as soon as practicable in a manner to be specified in the implementation guide referred to in s. DFI—CCS 3.16. The responses may, for a time, be limited to a search report with copies of reported documents being made available by non−electronic means. Until electronic responses are available in any form, responses to electronic search requests shall be generated and transmitted in the same manner and by the same means as responses to non−electronic search requests.

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

DFI–CCS 3.20   One−debtor limitation. An XML document shall not name more than one debtor on a single name field. An XML document that purports to name more than one debtor on a single name field shall be treated as having named a single debtor with the name as set forth in the relevant field. Multi−debtor UCC documents shall be filed only by using additional debtor name fields.

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