

Chapter DFI-CCS 5

SEARCH REQUESTS AND REPORTS

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Note: Chapter DFI-CCS 5 was created as an emergency rule effective 10-24-01.

DFI-CCS 5.01 General requirements. The filing officer shall maintain for public inspection a searchable index for all records of UCC documents that provides for the retrieval of a record by the name of the debtor and by the file number of the initial financing statement to which the record relates, and which associates with one another each initial financing statement and each filed UCC document relating to the initial financing statement.

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

DFI-CCS 5.02 Search requests. Search requests shall contain the following information:

(1) **NAME SEARCHED.** A search request shall set forth the full correct name of a debtor or the name variant desired to be searched and specify whether the debtor is an individual or an organization. The full name of an individual shall consist of a first name, a middle name or initial, and a last name, although a search request may be submitted with no middle name or initial and, if only a single name is presented, it shall be treated as a last name. The full name of an organization shall consist of the name of the organization as stated on the articles of incorporation or other organic documents in the state or country of organization or the name variant desired to be searched. A search request shall be processed using the name in the exact form it is submitted.

Note: Example: The single name “Madonna” shall be treated as a last name.

(2) **REQUESTING PARTY.** The request shall include the name and address of the person to whom the search report is to be sent.

(3) **FEE.** The appropriate fee shall be enclosed, payable by a method described in s. DFI-CCS 1.10 (3).

(4) **SEARCH REQUEST WITH FILING.** If a filer requests a search at the time a UCC document is filed, by checking the box on the form set forth in s. 409.521, Stats., or otherwise, the name to be searched shall be the debtor name as set forth on the form, the requesting party shall be the remitter of the UCC document, and the search request shall be deemed to request a search that would be effective to retrieve all financing statements filed on or prior to the date the UCC document is filed.

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DFI-CCS 5.03 Optional information. A UCC search request may contain any of the following information:

(1) A request to include in the report unexpired filings, active filings or inactive filings.

(2) A request that asks for copies of documents referred to in the report be included with the report. The request may limit the copies requested by limiting them by reference to the address of the debtor, the city of the debtor, the date of filing, or a range of filing dates, or the identity of the secured party of record on the financing statements located by the related search. The request may ask for copies of UCC documents identified on the primary search response.

(3) A request that the search of a debtor name be limited to debtors in a particular city. A report created by the filing officer in response to the request shall contain the following statement: “A search limited to a particular city may not reveal all filings against the debtor searched and the searcher bears the risk of relying on this search.”

(4) Instructions on the mode of delivery requested, if other than by ordinary mail, which request shall be honored if the requested mode is then made available by the filing office.

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

DFI-CCS 5.04 Search requests. (1) Search results shall be created by applying standardized search logic to the name presented to the filing officer by the person requesting the search. For conducting searches, the following shall apply:

(a) There shall be no limit to the number of matches that may be returned in response to the search criteria.

(b) No distinction shall be made between upper and lower case letters.

(c) Only characters which appear on a standard keyboard shall be considered searchable characters.

(d) For names identified as an organization, the logical equivalent of all names that begin with the exact name presented for searching shall be returned.

(e) For first and middle names of individuals, initials shall be treated as the logical equivalent of all names that begin with the initials, and no middle name or initial shall be equated with all middle names and initials.

Note: Example: A search request for a “Dolly R. Parton” would cause the search to retrieve all filings against all individual debtors with “Dolly” as the first name, “Parton” as the last name, and with the initial “R” or any name beginning with “R” in the middle name field. If the search request were for “Dolly Parton”, (first and last names with no designation in the middle name field), the search would retrieve all filings against individual debtors with “Dolly” as the first name, “Parton” as the last name and with any name or initial or no name or initial in the middle name field.

(f) After taking the procedures in pars. (a) to (e) into account, the search shall reveal only names of debtors that exactly match the name requested contained within the UCC information management system and as requested under s. DFI-CCS 5.03.

Note: Human judgment does not play a role in determining the results of the search. Detailed explanations and examples of the search procedures are posted on the Department of Financial Institutions website, www.wdfi.org.

(2) For documents filed prior to July 1, 2001, department keying guidelines then in effect may affect the way debtor names were indexed, and documents filed prior to that date might not be returned when searching a registered corporate name using the search logic set forth in sub. (1).

History: CR 01-122: cr. Register February 2002 No. 554, eff. 3-1-02; CR 06-122: r. and recr. Register March 2007 No. 615, eff. 4-1-07.

DFI-CCS 5.05 Search responses. Reports created in response to a search request shall include all of the following:

(1) **FILING OFFICER.** Identification of the filing officer and the certification of the filing officer required by the UCC.

(2) **REPORT DATE.** The date the report was generated.

(3) **NAME SEARCHED.** Identification of the name searched.

(4) **CERTIFICATION DATE.** The certification date applicable to the report, or the date and time through which the search is effective to reveal all relevant UCC documents filed on or prior to that date.

(5) **IDENTIFICATION OF INITIAL FINANCING STATEMENTS.** Identification of each initial financing statement filed on or prior to the certification date and time corresponding to the search criteria, by name of debtor, identification number, and file date and file time as requested under s. DFI-CCS 5.03 (1).

(6) HISTORY OF FINANCING STATEMENT. For each initial financing statement on the report, a listing of all related UCC documents filed by the filing officer on or prior to the certification date.

(7) COPIES. Copies of all UCC documents revealed by the search and requested by the searcher.

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