



Coming Attractions

Preview of the 2008 IACA Conference, Salt Lake City, Utah
"Uniting Local and Global Perspectives"

Joint Section Meetings:

Report of the IACA Indexing Standards Workgroup (IISW) – The IISW consists of representatives from the Information Technology Section, the Business Organization Section, the Secured Transaction Section and the International Relations Section. This session will focus on reviewing the member jurisdictions' current practices for indexing names on BOS and STS filings. Additionally, the workgroup will report on its progress since our last IACA conference. We have learned a great deal about the treatment of special characters this year, and the workgroup will share the membership survey results. We also plan to establish the best, or model, practices for indexing to encourage consistency and predictability among our membership. This session is scheduled for Thursday, May 22nd, 2008.

Report from the IACA Redaction Committee – Following adoption of the IACA Redaction Committee Report at our last conference, the Committee plans to provide a redaction update for the membership. At a meeting of the National Association of Secretaries of State (NASS) in August 2007, filing officers, technology firms, educators and experts discussed the concerns surrounding redaction. The discussions and the resulting white paper, which built upon the 2007 IACA Redaction Committee Report, will be discussed in this session. We will review the white paper and discuss its impact on our filing offices.

Secured Transactions Section:

Kelly Kopyt, Massachusetts, Chair
Kathleen Vasquez, California, Vice-Chair

Jurisdiction Guidelines for Accepting a UCC Record Presented for Filing Chart (Filing Chart) – The success and importance of the filing chart has become increasingly significant to STS, its filers and searchers! Thirty-four jurisdictions verified their responses last year, and we continue to encourage consistency in filing procedures throughout our member jurisdictions. This interactive session will focus discussion on some new additions and continue to talk about the actions with the greatest variation among our membership. The chart will be presented in a capacity that allows us to display the IACA approved response and highlight our differences.

Jurisdiction Guidelines for the Processing and Reporting of a UCC Search Request Survey - As we know, the IACA Model Administrative Rules set forth procedures for the processing and reporting of UCC search requests; however, jurisdictions provide varying services to their customers. This survey discussion will identify the variations among the membership and locate each jurisdiction's corresponding legal authority. The overall objective is to provide an opportunity for education, discussion and, at the end of the day, uniformity across state lines. This will provide our customers with greater predictability and confidence in the UCC searches and results in each jurisdiction.

Task Force on Filing Office Operations and Search Logic (FOOSL) – The ABA's Section of Business Law, Commercial Finance Section has established a task force to cooperate closely with IACA to collect information on how filing systems operate, work with IACA to develop, modify, and implement rules that will help filing offices perform their duties and serve their constituencies and communicate IACA's advice on how best to use the services of filing offices. A task force spokesperson will present its initiatives and progress at the IACA conference.

Secured Transaction Updates and Developments – There have been a variety of developments since our last conference, which have an impact on the operations in IACA's membership jurisdictions. We will be discussing the following developments:

- ◆ **IACA's Requested Changes to the Permanent Editorial Board** – Following a few years of discussion, IACA and the PEB have agreed upon four (4) proposed changes to the Uniform Commercial Code Article 9.
- ◆ **Model Administrative Rules** – STS plans to address a few updates to our newly adopted Model Administrative Rules in order to verify their consistent application.
- ◆ **Indexing Concerns** – How can we best implement the determinations of the IACA Indexing Standards Workgroup? STS will discuss an implementation plan for the workgroup's best practice recommendations that ensures uniformity and consistency throughout the membership.

Central Filing System States Unique Identifier Task Force – Created by a 2007 IACA Resolution, the task force was formed to evaluate and examine the option of a unique identifier number requirement for states having a Central Filing System, certified by the U.S. Department of Agriculture. The task force examined effective numbering techniques and shall present a best practice approach to the IACA membership at our 2008 Conference. The task force shall also communicate the interests of IACA's Central Filing System States to the United States Department of Agriculture. This session is scheduled for Sunday, May 18th, 2008. Please be sure to travel early if you wish to attend!

Business Organization Section:

Tim Poulin, Maine, Acting Chair
Beth Laliberte, Ohio, Vice-Chair

Update of NASS Company Formation Task Force – Beneficial ownership and the role of the Federal Government in entity formation was widely discussed at the 2007 conference in Seattle. This year, in Salt Lake City, we will hear from the individuals with the latest developments and updates on the status of the federal legislation. What impact does the legislation have on our filing offices? What is the status of the task force? Are there membership jurisdictions that have already enacted changes? This session will provide answers to these questions and many more. The ITS will also participate in this discussion.

Web 2.0 – The evolution of the Internet, from an informational or transactional medium to a platform that enables relationships, certainly will impact the way filing offices accomplish our daily duties. What is Web

2.0? How should the membership jurisdictions expect to integrate this into their current systems? Is a Web 2.0 filing officer something to prepare for or is it too big for our offices to handle? The ITS will also participate in this discussion.

Entity Law Update – A joint ABA/NCCUSL Business Law Committee is currently finishing the final draft of the Business Organization Act. The Act is scheduled to be finalized before our Salt Lake City conference. Members of the drafting committee will explain the “hub and spoke” concept, the dramatic changes affecting the role of a filing officer and the process of accepting documents for filing. This presentation will help the membership understand the Act’s initiatives before it is presented to our legislators.

Document Retention – Modernization and the digital age has changed the way many jurisdictions save and maintain their records. What are the membership jurisdictions doing to preserve the historic value and legal significance of these records? How is the cost of physical and electronic storage taken into consideration? Would a best practice model for document retention benefit the jurisdictions?

National Association of Insurance Commissioners Changes to Entity Licensing Process – The National Association of Insurance Commissioners (NAIC) contacted NASS in July 2007, to develop new ways for the filing officers to expedite the insurance licensing process. The two organizations conducted a survey and subsequently recommended changes. What are the survey results? How can the membership jurisdictions respond to the NAIC recommendations? What impact will this have on our filing offices?

Day-to-Day Filing Issues and BOS List Serve Discussions – Back by popular demand, BOS will dedicate one session to an open mic forum where our membership can discuss any exciting new projects or practices in their offices. Additionally, we’ll catalog and review the discussions that developed on the BOS list serve over the past year. Bring your thinking caps and do not hesitate to jump in!

Information Technology Section: Paul Robinson, *Canada Federal Gov’t, Acting Chair*
Mike Olsen, *Utah, Vice-Chair*

E-mail and the Freedom of Information Act – ITS will discuss the protections that jurisdictions may be implementing to safeguard E-mail and the user account information of its customers from a Freedom of Information Act (FOIA) request. Does a request under FOIA place user account information in jeopardy? How can jurisdictions reduce this exposure or remove the information from the FOIA application? Is there a perception that all online users may have their user account information disclosed in a request under FOIA? If so, what impact does this have on the willingness to use a filing office’s online services?

Best Practices For E-Signatures – Our membership jurisdictions are using different types of technology and following various procedures when allowing an electronic signature on a filing submitted electronically. What types of policies and procedures have the filing offices implemented since June 2000, when the Uniform Electronic Transactions Act (UETA) was finalized? How have other electronic signature regulations or statutes influenced the filing office? Would a best practice model or standard for electronic signatures benefit the jurisdictions?

Internet Security – ITS will discuss the different levels of Internet security. What type of security may be too much or not enough? Sometimes too much security will have a negative impact on the day-to-day operations of the filing office. This discussion will focus on determining how much security is appropriate to provide a level of defense that does not interrupt the filing office operations.

