

Topic: Entering suffixes that do not distinguish between identical names

Question By: Jeff Harvey

Jurisdiction: Idaho

Date: April 24, 2014

Jurisdiction	Question(s)
Alabama	
Alaska	Alaska indexes exactly as presented.
Arizona	
Arkansas	
California	California also enters as presented.
Colorado	
Connecticut	
Delaware	
District of Columbia	
Florida	
Georgia	Georgia enters exactly as presented (we hope)
Hawaii	
Idaho	
Illinois	<p>This is what Illinois has in our Admin. Rules Chapter 14 Section 180.16 b).</p> <p>b) Names of debtors who are individuals. For the purpose of this subsection, "individual" means a human being, or a decedent in the case of a debtor that is the decedent's estate. This subsection applies to the name of a debtor or a secured party on a UCC record who is an individual.</p> <p>1) Individual name fields. The names of individuals are stored in files that include only the names of individuals, and not the names of organizations. The filing officer assumes no responsibility for the accurate designation of the components of a name, but will accurately enter the data in accordance with the filer's designations.</p> <p>2) Titles and prefixes before names. Titles and prefixes, such as "doctor", "reverend", "Mr.", and "Ms.", should not be entered in the UCC information management system. However, when a UCC record is submitted with designated name fields, the data will be entered in the UCC information management system exactly as it appears.</p>

	<p>3) Titles and suffixes after names. Title or indications of status such as "M.D." and "esquire" shall not be entered in the UCC information management system. Suffixes are not part of an individual's name and should not be provided by filers in UCC records. Suffixes that indicate which individual is being named, such as "senior", "junior", "I", "II", and "III", are entered into the information management system exactly as received.</p> <p>4) Truncation – individual names. Personal name fields in the UCC database are fixed in length. Although filers should continue to provide full names on their UCC records, a name that exceeds the fixed length is entered as presented to the filing officer, up to the maximum length of the data entry field. The maximum length of the data entry name field is 64 characters.</p>
Indiana	Indiana enters as presented.
Iowa	
Kansas	Kansas will index whatever is in the field.
Kentucky	
Louisiana	Louisiana enters exactly what is presented on the form.
Maine	Maine is like Georgia
Maryland	
Massachusetts	
Michigan	
Minnesota	In Minnesota if there is a suffix it needs to be selected from a drop down list (see below) in the entry application. If the suffix is presented in the last name field or any others it is entered in that field. This applies to both online and paper filings. List: Sr, Jr, I, II, III, IV, V, VI, X
Mississippi	
Missouri	
Montana	Montana is the same as Nevada.
Nebraska	
Nevada	Nevada enters exactly what is presented on the form.
New Hampshire	
New Jersey	
New Mexico	
New York	NY is the same as Nevada.
North Carolina	North Carolina is the same as Nevada.
North Dakota	North Dakota is the same as Nevada.
Ohio	Ohio is the same as Nevada.
Oklahoma	
Oregon	We enter what they give us, too.
Pennsylvania	
Rhode Island	

South Carolina	
South Dakota	
Tennessee	Tennessee will enter whatever is in the suffix field.
Texas	Texas allows only the following list for suffixes when filing electronically. This also applies to paper filings as our internal system is set up to select from a drop down list with the following suffixes: Jr., Sr., I, II, III, IV, V, VI, VII, VIII, IX, X
Utah	Utah is the same as Nevada.
Vermont	
Virginia	
Washington	
West Virginia	
Wisconsin	Wisconsin enters whatever the filer prints in that field.
Wyoming	

Additional Comments:

From Jeff Harvey (Idaho) in response to the answer from Illinois: Idaho has the same language. We've not updated our administrative rules in quite a long time, which is why this question came about. The most recent model rules change that language. Considering the vast number of filers who don't know what a suffix is (we see a lot of Mr. and Mrs. in that field) I'm not 100% certain that the change is for the best.

From Wally Boggus (Capitol Services): In any event, If your search logic follows the IACA model rule with respect to individuals then how you enter the suffix should not affect searchability because any suffix should be ignored...

503.1.8 For first personal name and additional name(s)/initial(s) of individual debtor names, initials are treated as the logical equivalent of all names that begin with such initials, and first personal name and no additional name(s)/initial(s) is equated with all additional name(s)/initial(s). For example, a search request for "John A. Smith" would cause the search to retrieve all filings against all individual debtors with "John" or the initial "J" as the first personal name, "Smith" as the surname, and with the initial "A" or any name beginning with "A" in the additional name(s)/initial(s) field or no name or initial in the additional name(s)/initial(s) field. If the search request were for "John Smith" (first personal name and surnames with no designation in the additional name(s)/initial(s) field), the search would retrieve all filings against individual debtors with "John" or the initial J as the first personal name, "Smith" as the surname and with any name or initial or no name or initial in the additional name(s)/initial(s) field.

A search under John A. Smith should reflect filings under equivalent names with any and all suffixes. Likewise, a search under John A. Smith, Jr., or any other suffix, should reflect equivalent names with any and all suffixes or no suffixes.

On another note, I have inserted and underscored a technical correction that I believe needs to be included in this rule.

Full Text of Original Email:

I'm reviewing Idaho's current administrative rules, hoping to update them with the most recent model rules, and I have a question for you all.

When you data enter the suffix field do you enter whatever the filer presents, or do you ignore titles and status indicators, only entering suffixes that distinguish between identical names?