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National Association of Credit Management



tional Association of Credit Manageme

Established, trusted, national brand

With a proud, rich history



Through your efforts, the credit profession has evolved over the last century to become an integral part of the economies of all nation. NACM appreciates the many men and women who contribute to their profession by participating in local affiliates, industry groups, and NACM's educational program. The role all of us played in shaping the credit profession it surely cause for celebration. We proadly celebrate over 100 years of NACM History! It is dedicated to you, NACM Members: Take a look at our despiled timeline, read about our great leaders in credit, and peruse all the <u>interfeal documents and artifacts</u> that sell the story of NACM's history.



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Explore NACM through the Years



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Looking at NACM's Mark on Business Credit

896-1920 Timeline	at the indust credit	ry Groups were formed Association's 1998 convention in Detroi y groups were formed to consider the problems of a specific industry and the s continued to meet thereafter.	Leaders of Yesterday and	I Today
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NACM

In 1896, in Toledo, Ohio, a group of credit executives, representing a hundred or so of their colleagues, organized themselves into the National Association of Credit Men.

NACM Core Values

NACM is committed to:

- enhancing, promoting and protecting the interests of business credit and financial management
- representing business credit grantors in all industries
- being a member-owned association that exists primarily to serve and support its members
- research and benchmarking
- maintain and promote highest ethical standards

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NACM Vision

As the advocate for business credit and financial management professionals, NACM is the primary learning, knowledge and information source.

NACM Mission

To position business credit professionals for success while setting standards of excellence in business credit and financial management.

Benefits of Membership

- Join a national network of 15,000 credit professionals
- Affiliate Membership
- National Membership

- NACM National Benefits (come with membership):
- Business Credit magazine
- eNews
- National representation on federal issues
- Resource Library





As the advocate for business credit and financial management professionals NACM and its network of Partners take great pride in being the primary learning, knowledge, networking and information resource for commercial creditors nationwide. NACM membership begins with a local NACM partner. Join our network today!





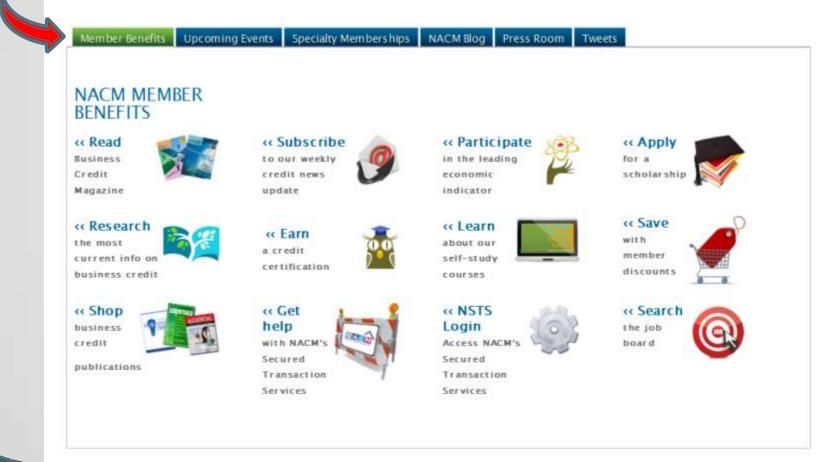
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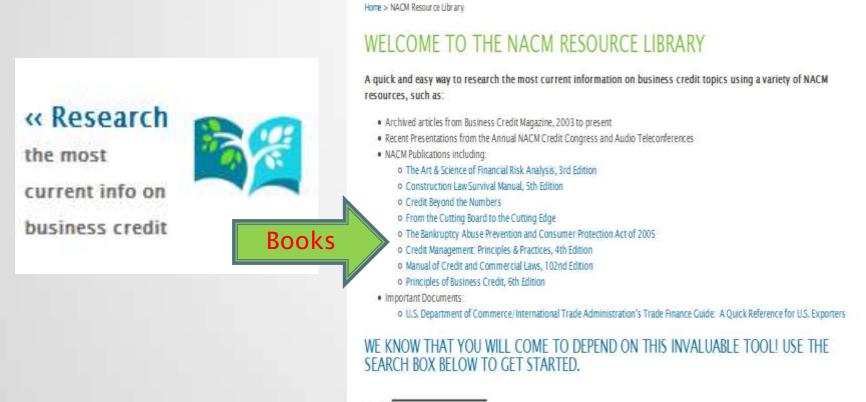
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The CMI is created from a monthly survey of U.S. credit and collections professionals. The survey asks participants to rate whether factors in their monthly business cycle—such as sales, new credit applications, accounts placed for collections, dollar amount beyond terms—are higher than, lower than, or same as the previous month. The results reflect the entire cycle of commercial business transactions, providing an accurate, predictive benchmarking tool.

CMI reports are released to the media the last business day of each month, as well as posted here.

Current survey period:





All credit and collections professionals are invited to take the survey each month during the timeframes listed in the schedule. NACM membership is not required.

Sign Up to receive monthly email reminders to take the survey.



NACM's Credit Managers Index

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NACM's CMI Reminders

First Email Notice that the Index is open:

From: <u>NACM_National@nacm.org</u> Sent: Monday, <u>May 20, 2013</u> 11:40 AM To: Robin Schauseil Subject: NACM's Credit Managers' Index is open

Hello Robin,

NACM's Credit Managers' Index survey is ready to be filled out. It will be available until close of business Eastern time, Friday the 24th. Please <u>click here</u> to start the survey.

If you are not **Robin Schauseil**, please <u>click</u> <u>here</u> to start the survey.

Second Email Notice that the Index is open:

From: NACM_National@nacm.org

Sent: Friday, May 24, 2013 2:00 PM To: Robin Schauseil Subject: NACM's Credit Managers' Index close reminder

Hello Robin,

This is a reminder that NACM's Credit Managers' Index survey closes today at 5pm Eastern time.

If you haven't already taken the survey, please <u>click</u> <u>here</u> to start the survey.

If you are not **Robin Schauseil**, please <u>click here</u> to start the survey.

Thank you for participating!

NACM's Credit Managers' Index

12Multiple Choice Questions:

1. Dollar amount of new orders are:

- O Higher than a month ago
- Same as a month ago
- O Lower than a month ago

2. Sales dollars are:

- O Higher than a month ago
- Same as a month ago
- O Lower than a month ago

- 3. Number of new credit applications is:
 - O Higher than a month ago
 - \bigcirc Same as a month ago
 - Lower than a month ago
- 4. Number of rejections of credit applications is:
 - O Higher than a month ago
 - 🔘 Same as a month ago
 - O Lower than a month ago
- 5. Dollar collections are:
 - 🔿 Higher than a month ago
 - Same as a month ago
 - O Lower than a month ago

Weekly eNews update emails





NEWS BRIEFS

- Credit Managers' Index for March Posts a Slight Decline to \$4.2.
- Trade Creditors Avoid Credit Card Surcharge Despite Viva/MasterCard Settlement
- Judge Rules Stockton Eligible for Municipal Bankruptcy
- Europe Gets Hit with Troubling Data on Two Fronts
- West Africa Latest White House Target for New Trade Agreement

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UPCOMING EVENTS

- Teleconference: Best Practices for Rolling Out your Credit Card Surcharge Program
- Eastern Region Credit Conference
- Cultural Differences in International Risk Management: FCIB Executive Development Webinar
- Teleconference: Bankruptcy War Stories Practical Lessons Learned from the Trenches
- FCIB's Spring Roundtable: Chicago
- Assessing Key Financial Information The Balance Sheet and beyond: FCIB Executive Development Weblinar
- Webinar Introduction to Export Letters of Credit
- Lien & Bonds and UCC Filing Workshops - Charlotte, NC
- NACM Online Courses
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WHY SHOULD YOU EARN YOUR CERTIFICATION?



When you apply to participate in the Professional Certification Program, you are on your way to demonstrating that you are among the best. You'll join a select group of individuals who have made the commitment to excellence in credit management, career advancement and an ongoing pursuit of knowledge. Throughout the process, you will be recognized for your achievements.

The certification program, sponsored by the National Association of Credit Management, has helped define and establish professional standards in this

demanding and rapidly changing field, and fosters recognition of those individuals who possess special expertise.

A RECOGNIZED PATH TO SUCCESS

Among credit management professionals, the professional certification program is respected and appreciated. Not only is participation in the program a mark of distinction throughout the profession, but it offers you a wide range of important benefits

- Expanded Knowledge: By reading, studying and preparing for the exams, you'll gain a thorough, up-to-date understanding of every aspect of credit management, including a look at future trends and strategies essential to your success.
- Career Opportunities: Certification tells employers that you are motivated, accomplished and current in your knowledge of credit management skills. It indicates that you are actively working to maintain high standards in the field.



- Heightened Professional Recognition: NACM's professional designations attest to
 experience, knowledge, ability, accomplishment, leadership and contributions to the credit and
 financial fields. Designations raise the level of respect among colleagues in business credit
 management and between professionals in the financial community. Proudly display your designation
 with your name on letterhead, business cards and all forms of address.
- Standards of Excellence: With constant changes in credit and with banking and financial services redefining the role of the credit executive, the certification program is clearly a valuable way to master professional education requirements and achieve professional excellence.

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Our Mission

Donating

Scholarships

ABOUT US

In 2005, the Board of Directors of the National Association of Credit Management (NACM) proudly approved the establishment of the NACM Scholarship Foundation, Inc., an entity that would furnish assistance to business credit professionals as they pursued credit education.

Today, the NACM Scholarship Foundation is a separate and important effort born from NACM's vision and mission. As a 501(c)3, the NACM Foundation fulfills the mission of augmenting the educational needs of its members.

THE NACM SCHOLARSHIP FOUNDATION MISSION

To provide financial assistance in the form of scholarships for business credit professionals, without regard to membership status, through all levels of continuing education so their gained knowledge and expertise can enhance and strengthen the profession and business community.

The Foundation also strives to bolster the mission and vision of the National Association of Credit Management, which as the advocate for business credit and financial management professionals, is the primary learning, knowledge and information source. NACM provides credit professionals with opportunities for professional growth throughout their careers, without regard to size, industry or market position of the companies that employ them.

The NACM Scholarship Foundation is determined to share knowledge and educational resources with more and more credit professionals. Through a variety of fund-raising efforts, the Foundation was able to raise over \$40,000 for deserving individuals in its first two years. Since its incention, the Foundation has b

deserving individuals in its first two years. Since its inception, the Foundation has had hundreds of corporate and personal donors who generously contribute to its efforts.

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Contributions to the NACM Scholarship Foundation Welcome



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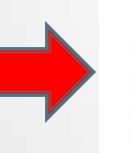
The NACM Credit Learning Center (CLC) is an online learning venue, created to bring 24/7 acce educational sessions for today's busy business credit professional. Click on the links below to learn about the CLC.

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"I really enjoyed the topics that were covered through the course. I thought that it was a good selection of classes and I personally feel anyone in the credit/collections role should take this course I lowed the topic of Credit and Sales Partnership. I feel that is one of my every day struggles and appreciate the height information that was given to make the sales and credit

Testimonials

relationship a little bit stronger!"

-Business Credit Principles student

"I was very pleased with the modules, book and the website. It is in very good option for peciple who are self motivated and have reatrictive schedules. The Credit Learning Center courses give students the flexibility needed to fit course study into their schedules when it best suits them."

-Financial Statement Analysis I student

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UPCOMING EVENTS

- 04/08/2013 | 03:00
 Teleconference, Best Practices for Rolling Out your Credit Card Surcharge Program
- 04/10/2013 | 03:00
 Teleconference: Bankruptcy War Stories: Practical Lessons Learned from the Trenches (What Textbooks
- 04/18/2013
 NACM's STS Seminar Series
- 04/18/2013 | 03:00
 Webinar: Introduction to Export Letters of Credit
- 04/22/2013 | 03:00
 Teleconference: Judgment Enforcement Options What is in Your Collection Arsenal?
- 06/10/2013 | 03:00
 Teleconference: Defending Preference Claims
- 07/10/2013 | 03:00
 Webinar: Effective Demand Letters that Get You Paid!
- 07/15/2013 | 03:00
 Webinar: Liens & Bonds: Managing the Process when selling Nationally

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	NACM'S CREDIT MANAGERS' INDEX FOR MARCH 2013 POSTS SLIGHT DECLINE TO 54.9
	03-29-2013 15:45:04
	The March report shows a steadiness, but nothing to inspire confidence in the economy. Government
	Read more: NACM's
•	NACM UNVEILS NEW DESIGNATION TO FOCUS ON ADVANCED FINANCIAL ANALYSIS
	03-12-2013 14:11:46
	Columbia, Maryland: March 11, 2013—Educational certifications are an essential tool in the
	Read more: NACM Unveils
•	CREDIT MANAGERS' INDEX REBOUNDS TO DECEMBER'S LEVEL OF 54.9
	02-28-2013 19:18:59
	The National Association of Credit Management's economic report for February 2013 depicts a
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•	NACM OPPOSES VIRGINIA BILL THAT WOULD COOL EXCHANGE OF COMMERCIAL CREDIT INFORMATION
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	HB 2198 Would Create New Problems, Fail to Fix Small Business Concerns Columbia, Maryland
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est Credit Managers' Index shows no return to recession, but no imminent breakout either. http://Lco

S far from a united bloc, stalling on development bank proposal at summit. http://t.co/mbl63ZQspa

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xury Casino Files Expected Bankruptcy as a Prepack http://t.co/qGRlzdLufC

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VIRGINIA BILL COULD AFFECT COMMERCIAL CREDIT REPORTS

on 31 January 2013.

The current version of a bill in the Virginia House of Delegates, HB 2198, would credit reporting agencies to identify their sources of "negative information" when they provide a report to its subject. This would mean that Virginia buyers would know the identities of the set is shared any of their negative payment history with a commercial credit reporting agency should they choose to dispute the information on their report.

However, according to the office of Delegate Michael Watson (R–James City/York Counties), the bill's chief patron, and other industry sources, an amendment to the bill that would eliminate this requirement is forthcoming. The text of such an amendment has yet to be made public.

Still, the bill would also require agencies to provide Virginia businesses access to a free annual credit report and would allow the subject of a commercial report to dispute parts of their report that they believe are inaccurate. After receiving the subject's complaint, the commercial credit reporting agency would have 30 days to either delete the statement or include a note in the report saying that the subject of the report has disputed a particular piece of information.

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on 03 January 2013.

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Ethics & Standards

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ETHICS & STANDARDS

The cornerstone of the global business economy is the extension of commercial credit. As such, business credit executives, as the guardians of commercial receivables, play the vital and critical role of uring the flow of commercial goods and services that support world commerce.

Published Ethics & Standards fulfilling their professional duties, business credit professionals pledge to onduct their duties within the constraints of law and to not maliciously injure the eputation of others. Further, business credit professionals pledge themselves to highest professional standards and principles and to guarding and securing, in tence, information obtained for the sole purpose of analyzing and extending cial credit.



Credit professionals pledge to:

- Adhere to the highest standards of integrity, trust, fairness, personal and professional behavior in all business dealings.
- Negotiate verbal or written credit agreements, contracts, assignments, and/or transfers with honesty, fairness, and due diligence to and for the benefit of all parties.
- Render reasonable assistance, cooperating with impartiality and without bias or prejudice, to debtors, third parties, and other credit professionals.
- Exchange appropriate, historical and current factual information to support the process of independent credit decisioning.
- Exercise due diligence as required to prevent unlawful or improper disclosure to third parties.
- Disclose any potential conflict in all business dealings.

Further, credit professionals acknowledge the importance of and shall promote the benefits of continued improvement of their knowledge, skills, and expertise in business credit. The pursuit of knowledge will support the strategic advancement of the commercial credit function, as it leads businesses to profitability and growth.

NACM's CMI, calling the recession



A Powerful Tool

Since its inception, the CMI has been a startlingly accurate economic predictor, proving its worth most notably during the recession.

CREDIT MANAGERS'INDEX AI

In the case of the Purchasing Managers' Index (PMI), which NACM Economic Advisor and Managing Director of Armada Corporate Intelligence Chris Kuehl, PhD frequently refers to in the CMI reports, it depicted an economy flirting with recession in the run-up to the downturn, but seemed to have trouble committing. The overall PMI

reading tiptoed around 50, recording 50.4, 49.9 and 50.7 in September, October and November of 2007, re 48.7 in December 2007, before hopping back up to 50.5 in January 2008, and eventually crashed to the 2009. During this period, the CMI mirrored the PMI on occasion, but altogether showed a remarkable recession, resisting the month-to-month swings that seemed to characterize the PMI of the PMI of the next few months, they needed to look no further than the C

Read more about the CMI here.

SURVEY DATES

2013 CMI Timeline	Survey Opens	Survey Closes	
January	Mon, January 21	Fri, January 25	
February	Mon, February 18	Fri, February 22	
March	Mon, March 18	Fri, March 22	
April	Mon, April 15	Fri, April 19	
Мау	Mon, May 20	Fri, May 24	

Leading Economic Indicator: by credit for credit

Α

ively. It then dipped to

that year and in early

e intricacies of the

NACM's CMI Published by Respected News Outlets



Every time you participate in the Credit Managers' Index (CMI), you are contributing to a leading economic indicator. You hold the power to elevate the status of the credit profession today.

NACM's Resource Library

A Benefit of Your Membership

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- Recent Presentations from the Annual NACM Credit Congress and Audio Teleconferences
- NACM Publications including:
 - The Art & Science of Financial Risk Analysis, 3rd Edition
 - Construction Law Survival Manual, 5th Edition
 - Credit Beyond the Numbers
 - From the Cutting Board to the Cutting Edge
 - The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005
 - Credit Management: Principles & Practices, 4th Edition
 - Manual of Credit and Commercial Laws, 102nd Edition
 - Principles of Business Credit, 6th Edition
- Important Documents:
 - U.S. Department of Commerce/International Trade Administration's Trade Finance Guide: A Quick Reference for U.S. Exporters

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Art & Science of Financial Risk Analysis: By Chapter

THE ART & SCIENCE OF FINANCIAL RISK ANALYSIS, 3RD EDITION

Below you will find the complete contents of this publication. Click on any link to view or download pdf.

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 - Ch. 1: PRELIMINARY FINANCIAL STATEMENT REVIEW
 - Ch. 2: PRELIMINARY ADJUSTMENTS TO BOOK NET WORTH AND FIXED ASSETS
 - Ch. 3: ADDITIONAL STEPS IN DETERMINING A COMPANY'S CREDIT LINE
 - Ch. 4: RATIOS
 - o Ch. 5: APPRAISING THE USE OF RATIOS
 - o Ch. 6: CASH FLOW ANALYSIS
 - Ch. 7: PROFITABILITY ANALYSIS USING THE EXTENDED DUPONT MODEL
 - Ch. 8: FINANCIAL PLANNING AND SUSTAINABLE GROWTH
 - Ch. 9: PREDICTING A COMPANY'S SUSTAINABLE GROWTH
 - Ch. 10: DERIVATIVES RISK ANALYSIS
 - Ch. 11: EVALUATING HLCS, LBOS, LLCS ANDSUBCHAPTER "S" CORPORATIONS
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Chapter 1

PRELIMINARY FINANCIAL STATEMENT REVIEW

The evaluation of a new customer for the extension of credit is, for the most part, a fairly subjective exercise. This exercise is best underscored by applying the five "Cs" of credit (character, capacity, capital, conditions, collateral). Of these five items, capital is the only one that can truly be looked at on a quantitative level, through analysis of a company's financial statements.

A customer's current financial statement is defined as their fiscal or calendar year-end statement. Prior to "crunching" the numbers, you should complete an overview by briefly examining various sections of the

Construction Law Survival Guide

Home > NACM Resource Library > Construction Law Survival Manual, 3rd Edition



CONSTRUCTION LAW SURVIVAL MANUAL, 5TH EDITION

Below you will find the complete contents of this publication. Click on any link to view or download pdf.

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 - Ch. 2: CONTRACT TERMS AND PRESERVING RIGHTS
 - Ch. 3: THE UNIFORM COMMERCIAL CODE SALE OF GOODS
 - Ch. 4: CHANGES, DELAYS AND OTHER CLAIMS
 - Ch. 5: UCC SECURITY AGREEMENTS
 - Ch. 6: DEFAULT AND TERMINATION
 - Ch. 7: DISPUTE RESOLUTION, ARBITRATION AND LITIGATION
 - Ch. 8: MECHANIC'S LIEN RIGHTS AND GENERAL PRINCIPLES
 - Ch. 9: MECHANIC'S LIENS IN VIRGINIA
 - Ch. 10: MECHANIC'S LIENS IN MARYLAND
 - Ch. 11: MECHANIC'S LIENS IN PENNSYLVANIA
 - Ch. 12: MECHANIC'S LIENS IN THE DISTRICT OF COLUMBIA
 - Ch. 13: PAYMENT BONDS

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- Ch. 14: TRUST FUND LAWS AND AGREEMENTS
- Ch. 15: EQUITABLE REMEDIES
- Ch. 16: ENFORCEMENT OF JUDGMENT
- Ch. 17: BANKRUPTCY PRIMER FOR CREDITORS

Construction Law Survival Guide

CHAPTER 1

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CREDIT MANAGEMENT

INTRODUCTION

The traditional approach to credit is reactive. Once there is a credit problem, the business reacts by enforcing legal rights. The ability to react *is* an important part of credit management and will eventually be discussed at length in this book. True credit management, however, *also* involves prevention. In fact, prevention is far more important than reaction. It comes first in time and will come first in this book. It is important to understand legal rights as a planning tool in order to evaluate your strength or risk position and to preserve your rights. Preservation of legal rights includes the ability to review legal documents that create a contract and to administrate or modify that contract. For these reasons, it is important to have your own contract forms available that will best preserve your position.

First and foremost, it is important to recognize that if you extend credit to a customer, you are a lender. You must think like a bank, carefully evaluating the creditworthiness of your customer and preserving your legal rights. You must remain flexible to adapt to an infinite variety of credit situations. Rigid, unthinking policies will result in lost business that could have been safely served and increased losses from defaults that could have been avoided. Evaluating and monitoring an account requires a holistic approach involving management, salespeople, the credit department and field performance personnel. Good credit policies increase sales and profits. A competent credit department can increase sales by constructing a safe credit management package for accounts that would otherwise be turned away. Sales and field people have an extremely important role in credit management by keeping their eyes and ears open to collect information about customers and projects.

MORE MONEY IN LESS TIME

We should all make more money in less time. You should consider taking more vacation without lowering your income. If you really like working long hours, you can still do so while raising your income. We will make more money in less time by *managing* credit.

Anyone who has taken a time management course will tell you that time management techniques work. We all

Credit Beyond the Numbers

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CREDIT BEYOND THE NUMBERS

Below you will find the complete contents of this publication. Click on any link to view or download pdf.

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Chapters!

- · Construction Law Survival Manual, 5th Edition
 - PREFACE
 - Ch. 1: WHAT IS CREDIT?
 - Ch. 2: REQUIREMENTS OF THE PROFESSION
 - Ch. 3: BUILDING STRONG RELATIONSHIPS WITHIN THE COMPANY
 - Ch. 4: THE CUSTOMER-BUILDING LASTING BUSINESS PARTNERSHIPS
 - o Ch. 5: CREDIT ROLES AND RESPONSIBILITIES
 - Ch. 6: CREDIT REVIEWS (FINANCIAL ANALYSIS)
 - Ch. 7: INTERNATIONAL CREDIT MANAGEMENT
 - Ch. 8: MANAGING MARGINAL ACCOUNTS AND COMPLEX BUSINESS OPPORTUNITIES
 - Ch. 9: WORKOUTS
 - Ch. 10: CHALLENGES
 - Ch. 11: INSOURCING AND OUTSOURCING: REDEFINING THE ROLE OF CREDIT
 - Ch. 12: CONCLUSION
 - EPILOGUE

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- Porm: AGREEMENT TO REVIVE A DEBT BARRED BY STATUTE OF LIMITATIONS
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- · Form: ARBITRATION CLAUSES
- · Formi ARTICLES OF INCORPORATION
- Porm: ARTICLES OF ORGANIZATION FOR THE LIMITED LIABILITY COMPANY
- e Formi ASSIGNMENTS
- . Form: BILL OF SALE
- o Form: BYLAWS
- P Form: CANONS of Business Credit Ethics
- o Form: CERTIFICATE OF LIMITED PARTNERSHIP
- · Form: CERTIFICATE OF SECRETARY
- · Form: COMPROMISE AGREEMENT
- Porm: CONDITIONAL, PARTIAL WAIVER AND RELEASE (Version 1)
- 9 Form: CONDITIONAL, PARTIAL WAIVER AND RELEASE (Version 2)
- 9 Form: CONDITIONAL WAIVER AND BELEASE UPON FINAL PAYMENT
- Porm: CORPORATE ACKNOWLEDGEMENT
- . Form: CORPORATE GUARANTEE
- **o** Form: CORPORATE GUARANTEE OF PAYMENT OF FUTURE DEBTS
- Form: CREDIT APPLICATION AND AGREEMENT EXHIBIT
- · Form: CREDIT CARD AUTHORIZATION FORM
- Form: <u>DISPOSITION NOTIFICATION FOR COMMERCIAL TRANSACTION AFTER</u> <u>DEFAULT</u>
- Form: ENDORSEMENT ON CHECK CONSTITUTING ACCORD AND SATISFACTION
- Form: ELECTRONIC FUNDS TRANSFER AUTHORIZATION/REFUSAL FORM
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- o Form: JUDGMENT NOTE
- o Form: LEASE OF PERSONAL PROPERTY
- Porm: LETTER OF CREDIT INSTRUCTIONS
- P Form: LETTER OF CREDIT
- ø Form: NEGOTIABLE PROMISSORY NOTE
- · Form: NOTICE BY ASSIGNEE TO DEBTOR OF ASSIGNMENT OF A DEBT
- Form: NOTICE TO DEBTOR BY HIS OR HER CREDITOR OF THE ASSIGNMENT OF A DEBT
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- . Formi PARTNERSHIP AGREEMENT
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Escheatment Laws and Unclaimed Property

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WHAT IS UNCLAIMED PROPERTY?

Unclaimed property," often referred to as "unclaimed money," encompasses intangible personal property. With rare exception, these laws do not cover real estate or tangible personal property. The history and background of unclaimed property goes back to the foundation of English common law and the concept of escheat: the crown's right to take possession of real property when the owner of a property died without heirship or with an heir incapable of ownership. This concept is referred to in the Magna Carta in 1215, and has become statutory law in all 50 states plus the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands.

However, modern day law, as governed in the United States, has added to the concept of "escheat." Escheat essentially means a "reversion of property to the [s]tate upon the death of an owner who has neither a will nor any legal heirs." With the rise of complex commercial transactions over the past 100 years, businesses often find they are in possession of property, usually funds, that they do not lawfully own. In modern U.S. law, the concept of "escheat" has been extended to deal with these situations. What this means for companies in possession of funds due to an owner, which cannot immediately be traced to a true or apparent owner, is that the funds must be remitted to the state as directed by the U.S. Supreme Court in *Texas vs. New Jersey* (1965). More information about this case is available below.

There are 54 different "unclaimed property" laws. These laws are all at the state level for one simple reason: the framers of the Constitution did not reserve the concept of escheat to the federal government. Under the reservation clause of the U.S. Constitution, all powers not granted to the federal government devolve to the states. Even though many are drafted from guidelines adopted in the Uniform Unclaimed Property Act, there is only one thing uniform about them: no two are the same. There are many similarities but no exact duplications.

The formal definition of unclaimed property is "intangible personal property that has some u

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Escheatment in the Post-September II Environment: A Problem for the Credit Executive?

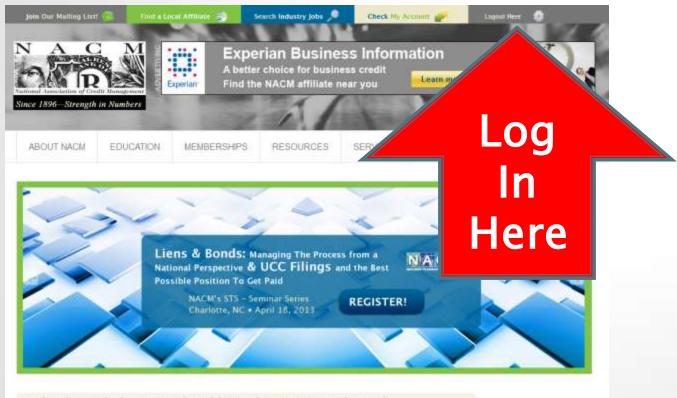
By Mary Schaeffer and Scott Blakeley

The recent anniversary of September 11 reminds us that states are still struggling to meet the new financial burdens that the terrorist acts created. States are incurring enormous financial costs for homeland security. In light of this, states are looking for untapped revenue sources. The *Chicago Tribune* recently reported that New York state's annual budget now includes \$408 million line items for escheatment or abandoned property. Other states are looking at abandoned property as a source of substantial revenue to offset rising costs post-September 11. governments and cities report that municipal revenues have been affected by the September 11 attacks, and many are finding it difficult to meet budgets, in part, because of a decrease in tax collection and an increase in expenses to cover security. In this setting, states are looking for sources of revenue, and abandoned property, as the press reports, may be that untapped source for states. Escheatment revenue is an appealing revenue source from the states' view, as it does not require raising taxes. States are more aggressive in their escheat efforts. Several private firms are working on behalf of states on a contingency fee basis to locate abandoned necessity, as controversies between states over conflicting claims to property developed. For example, if a corporation abandons credits it has based on a trade relationship with a vendor, several states might attempt to claim custody. The credits could be covered under the law of the state where the company was incorporated, or the state where the corporate headquarters was located. In addition, any state that was doing significant business with the corporation might claim the property.

In 1954, the Uniform Disposition of Unclaimed Property Act (the "Uniform

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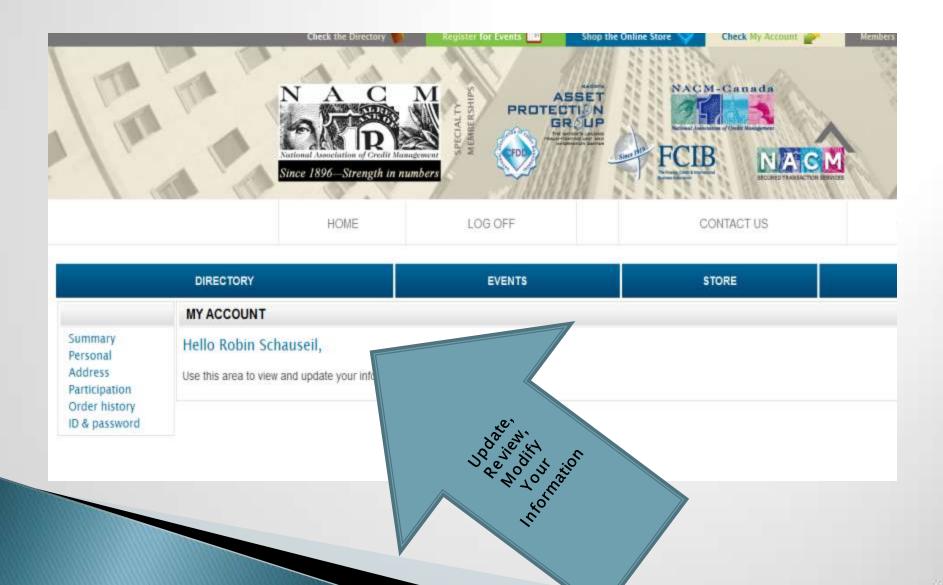
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Participation Order history ID & password

ID	000389
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* Last name	Schauseil
Suffix	
Title	President & COO
Organization	NACM National
* Email	robins@nacm.org
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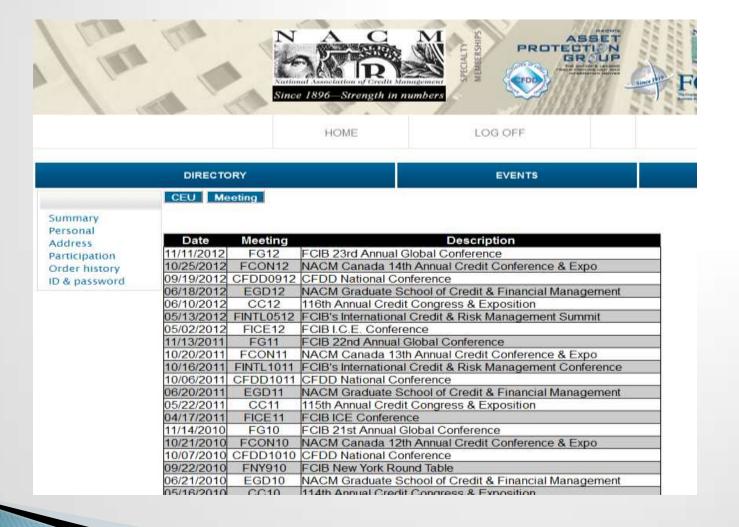


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	09/20/2012	21313	Positive Language in Communications ? Evaluating the Words you Choose	2
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	05/18/2010	18019	Super Session & Annual Business Meeting	0.150 0.150 0.000
	05/17/2010	18018	General Session	0.150 0.150 0.000
	11/15/2009	FG09/STAFF	Staff Member	2.000 0.000 0.000
	06/16/2009	17037	The Milkshake Moment: Overcoming Stupid Systems, Pointless Policies and Muddled Management	0.100 0.100 0.000
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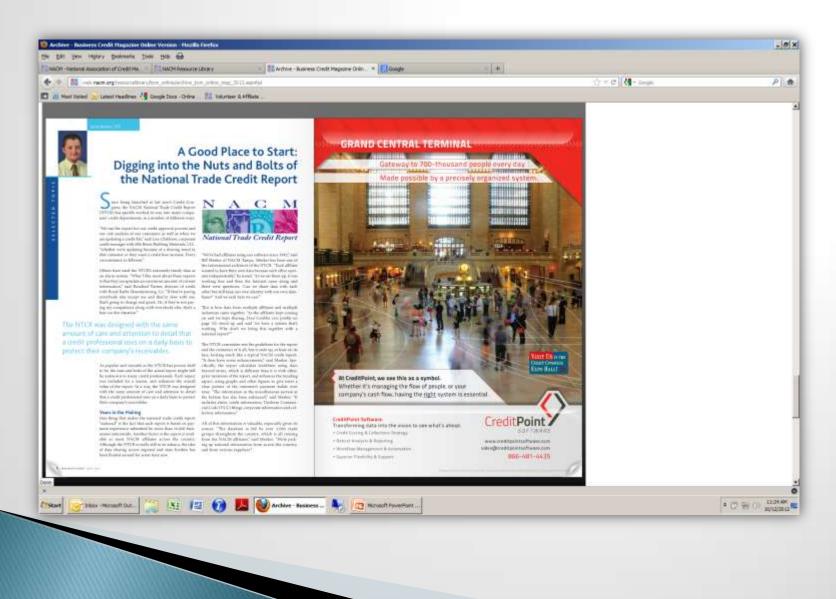


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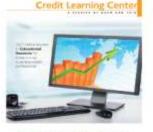


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NACM National Trade Credit Report

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- Reward Good Payers
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- Support Your NACM
- It's Legal, Easy and Free

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- Contribute to the growth and stability of the economy
- Support the efforts of your fellow NACM members and colleagues



Your Advocate, your Resource, your Partner in Profit



National Association of Credit Management