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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON

8 In Re:

9 ACTIONS SEEKING REVIEW OF THE
10 COMMISSIONER OF SOCIAL
11 SECURITY'S FINAL DECISION
12 DENYING AN APPLICATION FOR
13 BENEFITS

**AMENDED GENERAL ORDER
04-15
RE: PILOT PROGRAM FOR
ELECTRONIC SERVICE
IN SOCIAL SECURITY CASES**

13 A significant number of cases seeking review of the Commissioner of Social
14 Security's ("Commissioner") decision denying an application for benefits are filed in this
15 District. The Court and the United States Attorney's Office for the Western District of
16 Washington ("USAO-WDWA") share an interest in facilitating the efficient resolution of
17 those complaints. To this end, on June 1, 2015, the Court issued General Order 04-15
18 initiating a one-year Pilot Program for Electronic Service in Social Security Cases ("Pilot
19 Program"). The USAO-WAWD has agreed to extend the terms of the Pilot Program set
20 forth in General Order 04-15 for an additional two year period.
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22 **ACCORDINGLY, THE COURT AMENDS GENERAL ORDER 04-15 AND**
23 **HEREBY ORDERS:**

1 (1) The Pilot Program initiated in General Order 04-15 shall remain in effect
2 through June 1, 2018. During this period, the USAO WDWA may unilaterally modify or
3 terminate the Pilot Program. .

4 (2) The Pilot Program shall apply only to complaints instituted by a plaintiff
5 against the Commissioner in which the only claim that is being brought is pursuant to 42
6 U.S.C. § 405(g). It shall not apply to any other complaint. In particular, the Pilot
7 Program does not apply to (a) complaints that include claims against the Commissioner
8 in addition to, or other than, those brought pursuant to 42 U.S.C. § 405(g); or (b)
9 complaints that include defendants other than the Commissioner.
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11 (3) Plaintiffs who wish to avail themselves of the Pilot Program for electronic
12 service shall:

13 A. Provide the USAO-WDWA with a copy of the summons and complaint by
14 email to USAWAW.SSAClerk@usdoj.gov;

15 B. Provide the USAO-WDWA with the identifying information set forth in
16 General Order 05-15 by email to USAWAW.SSAClerk@usdoj.gov; **and**

17 C. File a Certificate of Service through the Court's Electronic Court Filing
18 ("ECF") system indicating when the summons and complaint and identifying information
19 was sent to the USAO-WDWA's designated email address.
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21 (4) Service of a summons and complaint under this Pilot Program will be
22 considered complete only when all three steps in paragraph 3 above have been
23 completed.

1 (5) If a plaintiff chooses to avail himself or herself of this Pilot Program and
2 effectuates service in accordance with this Amended General Order, the government
3 agrees not to raise insufficient service as a defense in its answer or other response to the
4 complaint. However, nothing in this Amended General Order or the Pilot Program on
5 electronic service shall be deemed to be a waiver of service pursuant to Federal Rule of
6 Civil Procedure 4(d).

7 (6) This Amended General Order is effective June 1, 2016, and shall remain in
8 effect through June 1, 2018. However, upon one month's notice, the USAO-WDWA may
9 unilaterally modify or terminate the Pilot Program.

10 (7) The Court reserves the right to rescind this Amended General Order
11 entirely as the Court determines necessary in light of experience.

12 (8) The Clerk of Court shall post a copy of this Amended General Order on
13 the Court's website, and shall distribute copies as the Clerk deems appropriate.

14 DATED this 20th day of May 2016.

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18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
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