

1
2
3
4 UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
5

6 IN RE:

7 ACTIONS SEEKING REVIEW OF THE
8 COMMISSIONER OF SOCIAL
9 SECURITY'S FINAL DECISION
DENYING AN APPLICATION FOR
10 BENEFITS

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

11 A significant number of cases are filed in this District seeking review of the
12 Commissioner of Social Security ("Commissioner")'s decision denying an application for
13 benefits. The Court and the United States Attorney's Office for the Western District of
14 Washington ("USAO-WDWA") share an interest in facilitating the efficient resolution of these
15 complaints. To this end, on June 1, 2015, the Court issued General Order 04-15 initiating a one-
16 year Pilot Program for Electronic Service in Social Security Cases ("Pilot Program"). In 2016,
17 and again in 2018, the USAO-WAWD agreed to extend the terms of the Pilot Program set forth
18 in General Order 04-15 for additional two-year periods. The Pilot Program is an on-going
19 success. The USAO-WAWD has again agreed to an extension until December 2, 2022, as set
20 forth in General Order 04-15.
21
22
23
24
25

1 **ACCORDINGLY, THE COURT AMENDS GENERAL ORDER 04-15 AND**

2 **HEREBY ORDERS:**

3 (1) The Pilot Program initiated in General Order 04-15 shall remain in effect through
4 December 2, 2022. During this period, the USAO-WDWA may unilaterally
5 modify or terminate the Pilot Program.

6 (2) The Pilot Program shall apply only to complaints instituted by a plaintiff against
7 the Commissioner to which the only claim that is being brought is pursuant to 42
8 U.S.C. § 405(g). It shall not apply to any other complaint. In particular, the Pilot
9 Program does not apply to (a) complaints that include claims against the
10 Commissioner in addition to, or other than, those brought pursuant to 42 U.S.C. §
11 405(g); or (b) complaints that include defendants other than the Commissioner.

12 (3) Plaintiffs who wish to avail themselves of the Pilot Program for electronic service
13 shall:

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

16 B. Provide the USAO-WDWA with the identifying information set forth in General
17 Order 05-15 by email to the same email address; and

18 C. File a Certificate of Service through the Court’s Electronic Court Filing (“ECF”)
19 system indicating when the summons and complaint and identifying information
20 were sent to the USAO-WDWA’s email address above.

21 (4) Service of a summons and complaint under this Pilot Program will be considered
22 complete only when all three steps in paragraph 3 above have been 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
3 government agrees not to raise insufficient service as a defense in its answer or
4 other response to the complaint. However, nothing in this Amended General
5 Order or the Pilot Program on electronic service shall be deemed to be a waiver of
6 service pursuant to Federal Rule of Civil Procedure 4(d).
- 7 (6) This Amended General Order is effective June 1, 2022, and shall remain in
8 effect through December 2, 2022. However, upon one month's notice, the USAO-
9 WDWA may unilaterally modify or terminate the Pilot Program.
- 10 (7) The Court reserves the right to rescind this Amended General Order entirely as
11 the Court determines necessary in light of experience.
- 12 (8) The Clerk shall post a copy of this Amended General Order on the Court's
13 website, and shall distribute copies as the Clerk deems appropriate.

14
15 Dated this 26th day of May, 2022.

16
17 

18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25