

Local Rule 5-12 – Social Security Appeals

(a) Social Security Appeals – Initial Process. Where a complaint for administrative review is filed pursuant to 42 U.S.C. § 405(g) concerning benefits under the Social Security Act, by agreement with the United States Attorney, no actual service of initial process (*i.e.*, summons and complaint) will be required in any case, unless otherwise ordered. The Social Security Administration will treat notification through the court's Case Management and Electronic Filing System (CM/ECF) as service under Rule 4 of the Federal Rules of Civil Procedure.

(b) Response to Complaint. The Social Security Administration must respond to a complaint for administrative review of an agency determination about Social Security benefits within 60 days after notification of the filing of the complaint through the court's CM/ECF by filing either 1) a motion to dismiss or 2) the certified administrative record. The filing of the certified administrative record will suffice as the Social Security Administration's answer to the complaint.