

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
AUG 08 2016

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

ACTIONS SEEKING REVIEW OF) GO-16- 12
THE COMMISSIONER OF SOCIAL)
SECURITY'S FINAL DECISION)
DENYING AN APPLICATION) RE: PILOT PROGRAM FOR
FOR BENEFITS) ELECTRONIC SERVICE IN
) SOCIAL SECURITY CASES

GENERAL ORDER

A significant number of cases seeking review of a decision by the Commissioner of the Social Security Administration to deny benefits are filed in this district. The Court, the United States Attorney's Office for the Northern District of Oklahoma ("USAO-NDOK"), and the Denver Office of Regional Counsel for the Social Security Administration ("Denver ORC") share an interest in facilitating the efficient resolution of those cases. To this end, the USAO-NDOK and the Denver ORC have agreed to participate in a one-year Pilot Program for Electronic Service in Social Security Cases ("Pilot Program"). This General Order sets forth the terms of the Pilot Program.

THE COURT HEREBY ORDERS:

(1) The effective date of the Pilot Program for electronic service shall be August 8, 2016, and shall run for twelve months until August 8, 2017, provided that during this period, upon one month's notice, the USAO-NDOK and the Denver ORC may unilaterally modify or terminate the Pilot Program in light of experience.

(2) The Pilot Program shall apply only to complaints instituted by a plaintiff against the Commissioner in which the only claim is one brought pursuant to 42 U.S.C. § 405(g). The Pilot Program shall not apply to any other complaint. In particular, the Pilot Program does not apply to (a) complaints that include claims against the Commissioner in addition to, or other

than, those brought pursuant to 42 U.S.C. § 405(g); or (b) complaints that include defendants other than the Commissioner.

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

A. Provide the USAO-NDOK and the Denver ORC with a copy of the summons and complaint by email to both USAOKN.ECFCivil@usdoj.gov and OGC.DEN.Service.NDOK@ssa.gov; providing the summons and complaint to the USAO-NDOK and the Denver ORC by email will serve as service on the United States Attorney General as required under Federal Rule of Civil Procedure 4(i)(2). The email shall include the identifying information set forth in **General Order 16-09**; and

B. File a Certificate of Electronic Service through the Court's Electronic Case Filing ("ECF") system indicating when the summons, complaint, and identifying information were emailed to the USAO-NDOK's and the Denver ORC as set forth in subparagraph (A).

(4) Service of a summons and complaint under this Pilot Program will be considered complete only when both steps in paragraph (3) have been completed.

(5) If a plaintiff chooses to avail himself or herself of this Pilot Program and effectuates service in accordance with this General Order, the Commissioner of the Social Security Administration may not raise insufficient service as a defense in any response to a complaint. However, nothing in this General Order or the Pilot Program on electronic service shall be deemed to be a waiver of service pursuant to Federal Rule of Civil Procedure 4(d).

(6) The email addresses identified are to be used solely for the submission of summons, complaints, and claimant identifying information. They shall not be used for any other purpose. Any improper use is a violation of this Order and subject to sanctions.

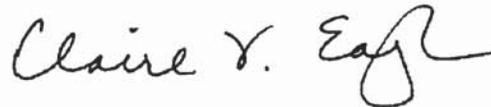
(7) The Court reserves the right to rescind this order entirely as the Court determines necessary in light of experience.

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

DATED this 8th day of August, 2016.



GREGORY K. FRIZZELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT



CLAIRE V. EAGAN, JUDGE
UNITED STATES DISTRICT COURT



JOHN E. DOWDELL, JUDGE
UNITED STATES DISTRICT COURT



JAMES H. PAYNE, JUDGE
UNITED STATES DISTRICT COURT



TERENCE C. KERN, JUDGE
UNITED STATES DISTRICT COURT