

Electronic Service of Social Security Complaint

OVERVIEW

The Court, the United States Attorney's Office and the Social Security Administration have agreed to participate in Electronic Service in social security cases. Electronic service applies only to complaints instituted by a plaintiff against the Commissioner of the Social Security Administration (1) when the only claim is one brought pursuant to 42 U.S.C. § 405(g) and (2) the Commissioner is the sole defendant. Electronic service does not apply to any other complaints.

PROCEDURE

1. Plaintiff Procedures. A plaintiff who files a complaint satisfying the terms for electronic service, and who wishes to use electronic service shall comply with the following procedures.
 - a. The plaintiff shall 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 by email, as provided herein, constitutes service on the United States Attorney General as required under Federal Rule of Civil Procedure 4(i)(2). The email shall include the full name and last four digits of the social security number of the individual whose benefits application was denied. This identifying information is necessary for the Commissioner to obtain and produce the certified administrative record.
 - b. The plaintiff shall 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 and the Denver ORC as set forth in these procedures.
 - c. Electronic service of the summons and complaint is complete only when the plaintiff complies with all of the steps outlined in these procedures.
 - d. If a plaintiff serves the summons and complaint through electronic service, as provided, the Commissioner may not raise insufficient service as a defense any response to a complaint. However, nothing in these

procedures shall be deemed to be a waiver of service pursuant to Federal Rule of Civil Procedure 4(d).

- e. The email addresses provided in this procedure are to be used solely for the submission of summonses, complaints, and claimants identifying information. They shall not be used for any other purposes. Any improper use of the email addresses identified is a violation of LCvR5-2 and subject to sanctions.