

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

IN RE:

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SOCIAL SECURITY CASES

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MISC. NO. 00-308

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STANDING ORDER 2021-12

The Court has issued several orders governing the administration of its Social Security case docket.¹ As previously stated, the Court has approved directly assigning all cases in which a plaintiff seeks review of a decision by the Commissioner of Social Security pursuant to 42 U.S.C. § 405(g) to a Magistrate Judge of this Court for all proceedings and the entry of a final judgment, subject to the consent of the plaintiff. Pursuant to a Memorandum of Understanding between this Court and the United States Attorney's Office for the District of Maryland, the Chief of the Civil Division of the U.S. Attorney's Office has consented to the automatic entry of his appearance for these cases and to the entering of the Government's consent to disposition by a United States Magistrate Judge. Moreover, the U.S. Attorney's Office has also agreed to waive service of summons and complaint by the plaintiff under Federal Rule of Civil Procedure 4.

The Court now finds it appropriate to consolidate procedures previously described in Standing Order 2021-06, Standing Order 2019-02, Standing Order 2014-01, and Administrative Order 2006-01 into this Order. Accordingly, it is hereby

ORDERED by the United States District Court for the District of Maryland that all cases in which a plaintiff seeks review pursuant to 42 U.S.C. § 405(g) of a decision by the Commissioner of Social Security shall be directly assigned to a Magistrate Judge of this Court

¹ See Standing Order 2021-06, Standing Order 2019-02, Standing Order 2014-01, and Administrative Order 2006-01.

for all proceedings and the entry of a final judgment, subject to the consent of the plaintiff; and it is further

ORDERED that in all such cases directly assigned to a Magistrate Judge, the Clerk shall issue a notice upon the filing of a new civil action requiring the plaintiff to file a response either consenting or declining to consent to disposition by a Magistrate Judge within thirty (30) days. In the event that the plaintiff does not consent, or if the Government withdraws its consent, the case shall be reassigned to a District Judge; and it is further

ORDERED that, having obtained the consent of the U.S. Attorney's Office for the District of Maryland to waive service of summons and complaint, plaintiffs need not serve a summons and complaint on the Government under Fed. R. Civ. P. 4 in cases seeking review pursuant to 42 U.S.C. § 405(g) of a decision by the Commissioner of Social Security; and it is further

ORDERED that in all such cases the Chief of the Civil Division of the U.S. Attorney's Office for the District of Maryland or his designee shall be designated as the counsel of record for the Government. The Clerk shall enter counsel's appearance on behalf of the Government, and the Government shall be required to file a certified copy of the transcript of the record of the agency proceedings within sixty (60) days of the entry of appearance. Unless otherwise ordered by the presiding judge, the certified copy of the transcript shall be deemed an answer to the complaint, which puts at issue the allegations contained therein; and it is further

ORDERED that upon the filing of the certified copy of the transcript, the CM/ECF system will automatically generate and docket dates as follows: Plaintiff's Motion for Summary Judgment and supporting memorandum of law shall be filed no later than 60 days after the transcript; Defendant's Motion for Summary Judgment and supporting memorandum of law

shall be filed no later than 120 days after the transcript; and Plaintiff's Reply Memorandum shall be filed no later than 141 days after the transcript. The dates automatically generated by the CM/ECF system are adopted as the schedule in the case and shall control the progress of the case without further entry of a scheduling order, unless otherwise ordered by the presiding judge. In cases involving a self-represented plaintiff, upon entry of the dates on the docket, the Government shall mail a copy of the docket entry to the self-represented plaintiff; and it is further

ORDERED that Standing Order 2021-06, Standing Order 2019-02, Standing Order 2014-01, and Administrative Order 2006-01 are RESCINDED.

Date: September 16, 2021

/s/ JAMES K. BREDAR
James K. Bredar, Chief Judge
United States District Court