

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**SUPPLEMENTAL STANDING PROCEDURAL ORDER FOR  
CASES SEEKING SOCIAL SECURITY REVIEW**

This Order supplements the Standing Procedural Order for Cases Seeking Social Security Review dated November 19, 2018.

This Supplemental Standing Procedural Order is issued to effectuate the agreement among the U.S. District Court for the Eastern District of Pennsylvania; the Commissioner of the Social Security Administration (“Commissioner”); and the U.S. Attorney General and the U.S. Attorney for the Eastern District of Pennsylvania (collectively “United States”), pursuant to which the Commissioner and United States agreed, on a pilot basis for one year from July 6, 2020, to accept the summons and complaint as outlined in Federal Rule of Civil Procedure 4(i) in actions filed pursuant to § 205(g) of the Social Security Act, 42 U.S.C. § 405(g), by electronic means via the Court’s Case Management/Electronic Case Files System (“CM/ECF”). The agreement is designed to facilitate timely and efficient service of process for civil actions filed pursuant to § 205(g) of the Social Security Act, 42 U.S.C. § 405(g), against the Commissioner of the Social Security Administration.

To effectuate the agreement of the above-named parties, it is ORDERED effective immediately:

1. Paragraphs 1 and 2 of the Standing Procedural Order for Cases Seeking Social Security Review dated November 19, 2018 regarding service of the summons and complaint, and service and filing of an answer and a certified copy of the transcript of the administrative record, are hereby amended as follows:
  - a. In cases where the filing fee has been paid and in cases where Plaintiff is proceeding *in forma pauperis*, upon filing of the complaint by Plaintiff, the Clerk of Court shall issue the summonses in accordance with Federal Rule of Civil Procedure 4(i) by electronic means via the Court’s Case Management/Electronic Case Files System (“CM/ECF”), upon: the Commissioner and United States. Service is not considered effectuated until the date of the CM/ECF filing of the complaint and issuance of the summonses, whichever is later (“Date of Service”). Other filings and/or CM/ECF actions related to the filing of a complaint and/or summons, including but not limited to an application for *in forma pauperis*, do not constitute service.
  - b. The Clerk’s Office will ensure that CM/ECF notifications indicating that the complaint has been filed, and summonses have been issued, are sent to [ogc.edpa.complaints@ssa.gov](mailto:ogc.edpa.complaints@ssa.gov) and [USAPAE.SSAComplaints@usdoj.gov](mailto:USAPAE.SSAComplaints@usdoj.gov).
  - c. The Commissioner, within 60 days of the Date of Service, shall file and serve either a dispositive motion or the Certified Administrative Record, which shall be deemed an answer (general denial) to Plaintiff’s complaint as outlined in Federal Rule of Civil Procedure 8(b)(3).

2. Paragraphs 3 through 8 of the Standing Procedural Order for Cases Seeking Social Security Review dated November 19, 2018 remain in effect. For questions or additional information, please contact the Clerk's Office at [PAED\\_clerksoffice@paed.uscourts.gov](mailto:PAED_clerksoffice@paed.uscourts.gov).
  
3. This Supplemental Standing Order will expire no later than July 6, 2021, unless extended by further Court order.

Date: July 6, 2020

/s/ Juan R. Sánchez

Juan R. Sánchez  
Chief Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**AGREEMENT OF UNITED STATES & COMMISSIONER OF SOCIAL SECURITY  
TO ACCEPT SERVICE OF SUMMONS AND COMPLAINT BY ELECTRONIC MEANS**

The United States and Commissioner of Social Security hereby agree (as detailed in the Court's Supplemental Standing Procedural Order for Cases Seeking Social Security Review) to accept the summons and complaint as outlined in Federal Rule of Civil Procedure 4(i) in actions filed pursuant to § 205(g) of the Social Security Act, 42 U.S.C. § 405(g), by electronic means via the Court's Case Management/Electronic Case Files System, for one year from the date below.

UNITED STATES OF AMERICA

COMMISSIONER OF SOCIAL SECURITY

BY: /s/ Gregory B. David  
Gregory B. David  
Chief, Civil Division  
United States Attorney's Office  
Eastern District of Pennsylvania

BY: /s/ Brian C. O'Donnell  
Brian C. O'Donnell  
Acting Regional Chief Counsel, Region III  
Office of the General Counsel

Dated: 6/8/2020

UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF PENNSYLVANIA

BY: Kate Barkman  
Kate Barkman  
Clerk of Court  
United States District Court  
Eastern District of Pennsylvania

Dated: 7/6/2020