



Constance Henkenberns <connie.kaporlaw@gmail.com>

Fwd: New Social Security local rule

1 message

kaporlawoffice@gmail.com <kaporlawoffice@gmail.com>

Tue, Jan 5, 2016 at 9:18 AM

To: Constance Henkenberns <connie.kaporlaw@gmail.com>

Please send this to the CBA with request that it be sent out to all members of the Committee. Thanks!

Sent from my iPhone

Begin forwarded message:

From: Karen_Litkovitz@ohsd.uscourts.gov
Date: January 4, 2016 at 5:23:20 PM EST
To: David Kapor <kaporlawoffice@gmail.com>
Cc: Stephanie_Bowman@ohsd.uscourts.gov
Subject: New Social Security local rule

Hi David,

Happy New Year!

The Southern District of Ohio has adopted a new local rule to make deadlines in Social Security disability appeals uniform across the three seats of court. The new rule is S.D. Ohio Civ. R. 8.1:

8.1 Social Security Cases: Answer and Schedule

(a) **Answer.** In all Social Security cases filed under 42 U.S.C. § 405(g) or 42 U.S.C. § 1383(c)(3), the defendant must file and serve on the plaintiff a certified copy of the administrative record within sixty days after service of the complaint, which copy shall serve as the answer. The defendant may raise any affirmative defense in a motion to dismiss, which may be filed instead of or contemporaneously with the administrative record.

(b) **Schedule.** Within forty-five days after service of the administrative record, the plaintiff must file and serve a statement of errors setting forth the bases upon which the plaintiff seeks reversal or remand. Within forty-five days following service of the statement of errors, the defendant must file and serve a memorandum in opposition to the plaintiff's statement of errors. The plaintiff may file and serve a reply memorandum within fifteen days of service of the defendant's memorandum in opposition. All briefing must include references to the administrative record.

All prior orders governing the scheduling of Social Security cases have been rescinded. See General Order Cin. 16-01 (attached). The Order and Rules apply to cases filed on or after January 1, 2016.

Could you please advise the membership of the Social Security Committee of the new rule?

Thank you.

Karen L. Litkovitz
United States Magistrate Judge
Southern District of Ohio
716 Potter Stewart US Courthouse

Cincinnati, OH 45202

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CIN General Order 16-01-1.pdf

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

FILED
RICHARD W. NAGEL
CLERK OF COURT

2016 JAN -4 AM 10:01

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS


IN RE: SOCIAL SECURITY APPEALS

GENERAL ORDER NO.: CIN 16-01

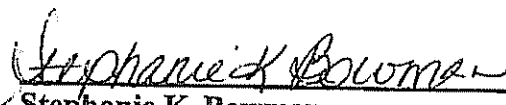
MAGISTRATE JUDGES' GENERAL ORDER
CONCERNING SOCIAL SECURITY APPEALS

1. All prior Orders of the United States Magistrate Judges at Cincinnati with respect to Social Security Appeals are hereby **RESCINDED**.
2. Parties should consult the Local Rules for the United States District Court for the Southern District of Ohio for practice and procedures governing Social Security Appeals.
3. This Order applies to cases filed on or after January 1, 2016.

January 1, 2016



Karen L. Litkovitz
United States Magistrate Judge



Stephanie K. Bowman
United States Magistrate Judge